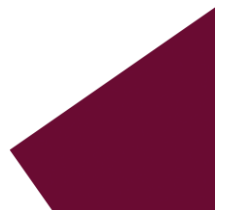


Planning Agency Review and Comments





501 Allendale Road
Suite 203
King of Prussia, PA 19406
484.460.7050
www.hrg-inc.com

August 23, 2022

Mr. Michael Mrozinski, Planning Director
Pike County Office of Community Planning
837 Route 6, Unit 3
Shohola, Pennsylvania 18458

Re: Eastern Pike County Regional Act 537 Plan

Dear Mr. Mrozinski and Members of the Community Planning Office:

On behalf of Westfall Township, Milford Township, Milford Borough, and Matamoras Borough, we are pleased to submit the Eastern Pike County Regional Act 537 Sewage Facilities Plan, including an Environmental Report, for your review and comment. A copy of the Eastern Pike County Regional Act 537 Plan can be viewed/downloaded at:

https://hrginc0-my.sharepoint.com/:f/g/personal/mroberts_hrg-inc_com/EkyrkG4b85IJmBUkSV5iXigBqizS09hcqCrwqxfWRh4myA?e=Z8QW1R

Please submit any comments on the Plan in writing to the stakeholder municipalities within sixty calendar days. Upon receipt of planning agency comments and at the end of a thirty-day public comment period, the Westfall Township Board of Supervisors, Milford Township Board of Supervisors, Milford Borough Council, and Matamoras Borough Council will consider adoption of the Act 537 Plan by resolution so that the final document may be submitted to the Pennsylvania Department of Environmental Protection (PADEP) and the Delaware River Basin Commission (DRBC) for review.

Please feel free to give me a call if you have any questions.

Sincerely,

HERBERT, ROWLAND & GRUBIC, INC.

Matthew Roberts, E.I.T.
Staff Professional I

MNR/jh
003054.0444

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Enclosures

c: Westfall Township Board of Supervisors
Milford Township Board of Supervisors
Milford Borough Council
Matamoras Borough Council



Pike County Office of Community Planning

837 Route 6, Unit 3

Shohola, PA 18458

(P) 570-296-3500 (F) 570-296-3501

(E) planning@pikepa.org

September 19, 2022

Ms. Kaitlin Hildebrant, Secretary
WESTFALL TOWNSHIP
Box 247
Matamoras, PA 18336

Re: Eastern Pike County Regional Act 537 Plan
Dated May, 2021 – Revised August, 2022
Pike County Planning Tracking # 22-109

Dear Ms. Hildebrant,

The Pike County Office of Community Planning, the Official County Planning Agency pursuant to County Ordinance #14 and Act 247, the Pennsylvania Municipalities Planning Code, as amended, has reviewed the proposed Eastern Pike County Regional Act 537 Plan and has the following comments:

1. Under §3.3.2.B Sanitary Sewage Survey Table 3-2 needs to be changed to Table 3-3 and Table 3-3 needs to be changed to Table 3-4 respectively;
2. On page 3-10 of the plan Halifax Township needs to be corrected to the appropriate municipality;
3. In Table 3-5 the number of Water Samples Completed for Milford Township East needs to be corrected to match the number of Water Samples needed;
4. The Milford Borough Comprehensive Plan dated March 2021 needs to be included in Chapter 4 of the Plan.

Revisions to this plan must be submitted to, and reviewed by, our office. If you have any questions regarding this matter, please feel free to contact me at 570-296-3500 and reference the above Planning Tracking Number.

Sincerely,

Brian Snyder, Community Planner

Email: Westfall Township Board of Supervisors

Westfall Township, Milford Borough, Matamoras Borough, and Milford Township

Response to Pike County Planning Commission Comments

November 1, 2022

We have reviewed the Pike County Planning Commission's Comment Letter from 9/19/2022, regarding the Eastern Pike County Regional Act 537 Plan project. Our responses are indicated below.

1. Acknowledged. Table names have been updated.
2. Acknowledged. Milford Township and Westfall Township are now listed instead.
3. Acknowledged. Milford Township wells have been updated to 5.
4. Acknowledged. Milford Borough Comprehensive Plan is now mentioned in Chapter 4.



501 Allendale Road
Suite 203
King of Prussia, PA 19406
484.460.7050
www.hrg-inc.com

August 23, 2022

Chairperson
Milford Borough Planning Commission
500 Broad Street
Milford, Pennsylvania 18337

Re: Eastern Pike County Regional Act 537 Plan

Dear Members of the Planning Commission:

On behalf of Westfall Township, Milford Township, Milford Borough, and Matamoras Borough, we are pleased to submit the Eastern Pike County Regional Act 537 Sewage Facilities Plan, including an Environmental Report, for your review and comment. A copy of the Eastern Pike County Regional Act 537 Plan can be viewed/downloaded at:

https://hrginc0-my.sharepoint.com/:f/g/personal/mroberts_hrg-inc_com/EkyrkG4b85IJmBUkSV5iXigBqizS09hcqCrwqxfWRh4myA?e=Z8QW1R

Please submit any comments on the Plan in writing to the Milford Borough Council within sixty calendar days. Upon receipt of planning agency comments and at the end of a thirty-day public comment period, the Westfall Township Board of Supervisors, Milford Township Board of Supervisors, Milford Borough Council, and Matamoras Borough Council will consider adoption of the Act 537 Plan by resolution so that the final document may be submitted to the Pennsylvania Department of Environmental Protection (PADEP) and the Delaware River Basin Commission (DRBC) for review.

Please feel free to give me a call if you have any questions.

Sincerely,

HERBERT, ROWLAND & GRUBIC, INC.

Matthew Roberts, E.I.T.
Staff Professional I

MNR/jh
003054.0444

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Enclosures

c: Westfall Township Board of Supervisors
Milford Township Board of Supervisors
Milford Borough Council
Matamoras Borough Council

Borough of Milford

Planning Commission

Commonwealth of Pennsylvania



500 Broad Street Milford, PA 18337
570-296-7140

September 28, 2022

Milford Borough Council

Dear Borough Council:

The Milford Borough Planning Commission met on September 21, 2022 to review the ACT 537 Plan and its revisions by HRG based on the DEP Administrative review requirements.

The Planning Commission reviewed the Plan including the revisions, specifically for Milford Borough and Alternative 6F which provides central waste water collection for the commercial district of Milford Borough.

A quorum was present at the September 21st meeting and it was voted at that meeting that Planning makes the following observations/recommendations to the Milford Borough Council:

- Milford Planning Commission recommends accepting the Act 537 Plan with its revisions for Milford Borough based on the DEP Administrative Review requirements with the following recommendations:
 1. Chapter 4, which mentions the 2006 Comprehensive Plan, should also include a statement about the 2020-21 Milford Borough Comprehensive Plan identifying wastewater treatment as beneficial to the health of the community. The 2020-21 CP plan survey showed 64% of those with an opinion favored Centralized wastewater treatment for the commercial district in Milford Borough.
 2. "Executive Summary" should use consistent language in the headings when separately listing the Alternative selected for each municipality. For example it states, "Public sewer service has been chosen for Matamoras Borough..." but says "Public sewer service shall be provided for Milford Borough..." etc.

Respectfully,
Barbara Tarquinio
Vice-Chair Milford Borough Planning Commission

Milford Borough

Response to Milford Borough Planning Commission Comments

November 1, 2022

We have reviewed the Milford Borough Planning Commission's Comment Letter from 9/28/2022, regarding the Eastern Pike County Regional Act 537 Plan project. Our responses are indicated below.

1. Acknowledged. A sentence describing the results of the survey has been included in Chapter 4.
2. Acknowledged. The language has been updated in the executive summary for consistency.



501 Allendale Road
Suite 203
King of Prussia, PA 19406
484.460.7050
www.hrg-inc.com

August 23, 2022

Mr. Robert DiLorenzo, Chairperson
Milford Township Planning Commission
560 Route 6/209
Milford, Pennsylvania 18337

Re: Eastern Pike County Regional Act 537 Plan

Dear Members of the Planning Commission:

On behalf of Westfall Township, Milford Township, Milford Borough, and Matamoras Borough, we are pleased to submit Eastern Pike County Regional Act 537 Sewage Facilities Plan, including an Environmental Report, for your review and comment. A copy of the Eastern Pike County Regional Act 537 Plan can be viewed/downloaded at:

https://hrginc0-my.sharepoint.com/:f/g/personal/mroberts_hrg-inc_com/EkyrkG4b85IJmBUkSV5iXigBqizS09hcqCrwqxfWRh4myA?e=Z8QW1R

Please submit any comments on the Plan in writing to the Milford Township Board of Supervisors within sixty calendar days. Upon receipt of planning agency comments and at the end of a thirty-day public comment period, the Westfall Township Board of Supervisors, Milford Township Board of Supervisors, Milford Borough Council, and Matamoras Borough Council will consider adoption of the Act 537 Plan by resolution so that the final document may be submitted to the Pennsylvania Department of Environmental Protection (PADEP) and the Delaware River Basin Commission (DRBC) for review.

Please feel free to give me a call if you have any questions.

Sincerely,

HERBERT, ROWLAND & GRUBIC, INC.

Matthew Roberts, E.I.T.
Staff Professional I

MNR/jh
003054.0444

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Enclosures

c: Westfall Township Board of Supervisors
Milford Township Board of Supervisors
Milford Borough Council
Matamoras Borough Council

Roberts, Matthew

From: Roberts, Matthew
Sent: Monday, October 24, 2022 11:29 AM
To: milfrdtp@ptd.net; 'Rachel Hendricks'; penney luhrs; Joseph Dooley; dilo295@gmail.com
Cc: Salmon, Cory
Subject: Eastern Pike County Regional Act 537 Plan Meeting Recap

Good morning,

Thank you for being able to meet with HRG on Wednesday in order to go over the outstanding questions regarding Eastern Pike County Regional Act 537 Plan. I have summarized the meeting below:

Representatives from Milford Township (Rachel Hendricks, Kevin Stroyan, Bob DiLorenzo), Milford Borough (Joe Dooley) and HRG (Cory Salmon and Matt Roberts) met via Zoom on Wednesday, October 19th to discuss Milford Township's outstanding questions and comments regarding the Act 537 Plan. Rachel asked for clarification on who HRG is representing, and Cory stated that HRG is representing all municipalities involved in the Act 537 Plan. Clarification was then requested regarding DEP's most recent letter regarding the administratively incomplete plan. It was clarified by HRG that only one submission had been made to DEP (May 2021), and that HRG had been in contact with DEP and they are aware that a new submission is being worked on. Milford Township raised concerns about the Pike County Environmental Treatment Plant where MATW currently hauls sludge to and potential capacity issues. HRG assured that the MATW WWTP had the capacity for new sewer loads projected from the Act 537 Plan. HRG has since received additional information, and MATW is not concerned about the increase in costs if a new sludge disposal method was required. Milford Township asked for clarification regarding the proposed OLDS ordinances in the Act 537 Plan and if it was one joint OLDS ordinance or four individual ones. HRG clarified that it should be a separate OLDS ordinance for each municipality and the language would be updated to avoid any potential confusion.

Milford Township also discussed edits in the Plan regarding Halifax Township being erroneously included as well as an incomplete sentence on page 5-42. HRG will review and update those pages as needed. The Intermunicipal Agreement (IMA) was brought up as well as Milford Township's concerns about the Act 537 Plan and the Draft IMA not being completely in alignment. HRG made it clear that they were not involved in the IMA process and that it was an issue between the solicitors. It will be included in the Act 537 as a draft, and the solicitors should continue revising until all parties find it acceptable. The Draft IMA will have a footer labeling it as draft as well as the Appendix Title Page, so it is clear that the IMA is in draft form and that the final IMA will be completed as part of the plan implementation. Milford Township raised concerns regarding the "remaining lifetime" conditions of the MATW WWTP and the concern that MWA customers could face the burden of maintaining the WWTP Plant even if they were not sewer customers. It was discussed that Water and Sewer budgets are tracked separately and that the sewer expenses would not fall under the financial of MWA water customers. Joe Dooley reached out to MWA for clarification via email, and Scott Sheldon of MWA replied on 10/20/22 to clarify any of these concerns.

Milford Township asked for clarification of some of the Footnote comments in tables of Chapter 5 of the Plan. They asked if the affordability limit was calculated, and HRG responded that the grants and affordability limits were taken into account with each municipality applying for funding separately. Regarding, the reserve funds, HRG did not have additional information at the time regarding Westfall Township's reserves. Milford Township discussed the list of comments from the previous iteration/ Planning Commission Review Period. Bob DiLorenzo mentioned that the Plan had a sentence about moratorium on construction. HRG did not recollect any such comment in the Plan, and the Planning Commission had no comments in their previous regarding this sentence. It was determined that this sentence was not in the current Plan. It was confirmed that the water conservation paragraph had been removed in Chapter 3 as had been requested during the previous planning commission review. Milford Township asked for additional information on why the low pressure system was chosen over a gravity system with pump stations. HRG stated that the

decision was reached due to costs (O and M was factored in) as well as topography. In addition, Milford Township asked about previous planning commission comments that DEP had previously cited as inadequately addressed. HRG replied that these questions have been answered between the draft IMA and the updates to the Plan. The MWA sewer interest surveys for businesses along Route 6/209 were discussed, and Milford Township wanted to know if the results would be included in the Act 537 Plan. HRG stated that it had already been agreed up during the Coordination Meetings with Penney Luhrs that they would not be included in the Act 537 Plan and that HRG had not requested nor received the results of the survey.

Once all outstanding questions had been discussed and answered, Cory Salmon discussed the next steps. HRG will make the minor updates to the Plan based on Milford Township's comments and feedback. As the planning commission review period ends on October 22, 2022, the next step is to move forward with the singular public comment period for all four municipalities with a public hearing during the 30 day public comment period. If Milford Township has additional comments between now and plan adoption, HRG will be willing to meet and/or discuss, but they will also have the opportunity to present comments during the public comment period.

If anyone has any questions or comments, please feel free to reach out.

Sincerely,
Matthew Roberts, E.I.T.
Staff Professional I

HERBERT, ROWLAND & GRUBIC, INC.

501 Allendale Road, Suite 203
King of Prussia, PA 19406
484.460.7050

mroberts@hrg-inc.com | [vCard](#)
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King of Prussia, PA 19406
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August 23, 2022

Chairperson
Westfall Township Planning Commission
102 La Barr Lane
Matamoras, Pennsylvania 18336

Re: Eastern Pike County Regional Act 537 Plan

Dear Members of the Planning Commission:

On behalf of Westfall Township, Milford Township, Milford Borough, and Matamoras Borough, we are pleased to submit Eastern Pike County Regional Act 537 Sewage Facilities Plan, including an Environmental Report, for your review and comment. A copy of the Eastern Pike County Regional Act 537 Plan can be viewed/downloaded at:

https://hrginc0-my.sharepoint.com/:f/g/personal/mroberts_hrg-inc_com/EkyrkG4b85lJmBUkSV5iXigBqizS09hcqCrwqxfWRh4myA?e=Z8QW1R

Please submit any comments on the Plan in writing to the Westfall Township Board of Supervisors within sixty calendar days. Upon receipt of planning agency comments and at the end of a thirty-day public comment period, the Westfall Township Board of Supervisors, Milford Township Board of Supervisors, Milford Borough Council, and Matamoras Borough Council will consider adoption of the Act 537 Plan by resolution so that the final document may be submitted to the Pennsylvania Department of Environmental Protection (PADEP) and the Delaware River Basin Commission (DRBC) for review.

Please feel free to give me a call if you have any questions.

Sincerely,

HERBERT, ROWLAND & GRUBIC, INC.

Matthew Roberts, E.I.T.
Staff Professional I

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Enclosures

c: Westfall Township Board of Supervisors
Milford Township Board of Supervisors
Milford Borough Council
Matamoras Borough Council

**Westfall Township
Planning Commission
Regular Meeting
October 25, 2022**

The regular meeting of the Westfall Township Planning Commission was held at 7:00 pm on Tuesday, June 28, 2022, and opened with the Pledge of Allegiance. The meeting was held at the Westfall Township Municipal Building on Delaware Drive and LaBarr Lane, Westfall Township.

Members present were Jolie DeFeis, Twila Decker and Pat Cordova. Also present were Solicitor, Robert Bernathy; Secretary, Kaitlin Hildebrandt, Zoning Officer, Lori McCrory; Lou Cozza, Kiley Associates, LLC; Westfall Township Fire Chief Fred Jacobs; Westfall Fire Assistant Chief Kyle Innella. Members of the public present were Chris Rinaldi, Charlie Shay, Cole Shay, Ray Banach, Debbie Banach and Rollin Cook. Matthew Roberts and Corey Salmon appeared via a zoom conference from HRG to present Act 537.

Frank Williams was absent.

Minutes:

September 8, 2022 -Workshop Meeting Minuets

Solicitor Bernathy stated that he acted as the emergency secretary at this meeting and has not yet completed the minuets.

OLD BUSINESS:

- 1. Eastern Pike County Regional Act 537 Plan –Possibly with Matthew Roberts from HRG Engineering attending by Zoom**

A zoom presentation was provided by Matthew Roberts and Corey Salmon from HRG Engineering. The intention of Act 537 is to extend the Westfall Township line and allow more customer to connect to the line in Milford Borough and Matamoras Borough. They would also be extending a low-pressure line into Milford Township. Twila questioned Matthew what they are seeking from them, to which they responded with, nothing specifically, unless there are comments from the Commission on the plan. With the process of this plan it goes before the Commission, County Planning and the other Borough and Townships. After this the plan will go into the public comment period, which allows Municipalities to provide further comment and from there a public hearing

would be scheduled and held. Pat and Twila did not have any Westfall Township specific comments to provide. Matthew stated that he believes that HRG has gone above what is typically required of an Act 537 Plan. Jolie inquired about there being three or four options for the project with regard to cost, timing, etc. Matthew stated that the plan summary is broken down into segments for each municipality, with the idea that each will be applying for funding separately. The main plan is for Westfall Township to extend their sewer lines along the three lane, Rout 6 & 209. Largest needs areas in the project were zoning, lot surveys and soil sustainability, over all in Westfall Township they were not looking to go into the residential area. Thirty-two wells were sampled in Westfall Township there was nothing concerning in the water samples from the wells that indicated home in the Township would benefit from sewage. Low pressure or gravity were considered as alternatives as to how to most effective and cost efficiently handle the sewage. Alternative 3b is the option that directly applies to Westfall Township per Matthew. Additionally he stated that there is not a whole lot that is needed out Westfall financially and the Westfall Authority will see the benefits of having additional users on their systems. Jolie inquired how this would be paid for. Per Matthew this has not entirely been established yet where the funding would come from, they are still the process of seeking funding, but it is believed that the USDA may be the most viable source for said funding. There will be a financial analysis completed to see which the most cost-effective way is to complete the project. Fees are encompassed in chapter five of Act 537.

Ray Banach questioned about the draft plan that was submitted its just a trunk line that goes down to the school from the Township line, it doesn't service any of the lots, or residents, that would need this service. He doesn't believe that we even have the capacity to complete this project as the Sewer Authority gave back the grant money several years ago. He believes by code they have to pay for it through funds coming back to the Township. Its really not a benefit to any resident, but rather commercial properties along the three lane, Milford Township and Milford Borough. Will residential lines be added in Westfall? Attorney Bernathy stated that this question had previously been answered, as well water samples have shown that there is not currently a need for sewage. He further stated that he assumes that there is a need for sewage in Matamoras Borough. Mr. Banach again stated that the grant money was returned, and this should not cost the taxpayers anything. Attorney Bernathy stated that ultimately that would be the goal, and that the Authority would benefit from having additional customers using the service, which will result in additional income.

Twila questioned where Milford and Matamoras stood on Act 537, because in years past there had been some opposition to the project. Matthew stated that Matamoras is on board with the project, more recently there has been some surveys in Milford along the

highway and business that were now in favor of sewage. Attorney Bernathy inquired if Matthew was in possession of the Pike County Planning letter dated November 19, 2022 that has four comments with regard to Act 537, and would those comments be addressed. Matthew stated that the comments will be addressed. Attorney Bernathy stated that Planning makes comments to the Supervisors, with the Supervisors deciding to adopt the plan by resolution at a hearing where all of the Municipalities would hear public comment and vote. Matthew stated that first there is a public comment period that last thirty days, when this comment period end it will go in front of each municipality for adoption, and then a public hearing with public comment. The supervisors will advertise the public hearing which will possibly be held at the high school. This will be one combined hearing with the other three municipalities. Attorney Bernathy questioned how procedurally this will work. Matthew stated that the plan was in the next week or so to get the hearing advertised and nail down the location, but this will need to be discussed with the stakeholders. Matthew will coordinate the advertisement with the Municipalities as there is very specific language that needs to encompassed in the advertisement.

Lou does not have any comments on the updated plan as this is the first time, he has seen the link to the updated plan. He did have comments on the previous plan, but did not bring them with him tonight, nor does he recall what they were. He will go through the plan and provide any necessary comments and ensure that his previous comments have been addressed during the public comment period.

No further public comment was received.

Jolie ensured with Matthew that he would continue to coordinate any necessary issues, information, plans, etc. with Kaitlin. The board thanked Matthew and Corey for their time and the information.

A motion was made by Jolie DeFeis to accept recommend approval of the Eastern Pike County Regional Act 537 Plan conditional upon the below listed conditions. The motion was seconded by Twila Decker and carries with all in favor.

- 1.) Townships Engineer review for purposes of addressing his initial comments and any additional comments that he may have to provide to the Supervisors,
- 2.) Planning has no significant changes to make to the plan at this time,
- 3.) Request that the Township recognizes the thirty (30) day public comment period,
- 4.) Request that the Township coordinate with the other municipalities the date, time and location for the hearing on the Plan
- 5.) Request that a mechanism be in place that if public comment from the residents is received how it will be transmitted to or for the purposes of that hearing.

No further public comment or opposition was received to the Act 537 Plan.

2. Tri-State RV Park Final Minor Land Development Plan

Charlie Shay and Cole Shay presented their plans for their Tri-State RV Park Minor Land Development Plan. Attorney Bernathy confirmed that an application and fee have been received by the Township. There are comments from Pike County Planning and the Township Engineer that will be review. Due to the COVID shut down they were unable to obtain the materials to start the project within the five years and the approval from 2016 expired. He brought the plans from 2016 that were previously approved and signed, which are exactly the same to the plans he has submitted now. They are seeking to add ten (10) campsites to their campground. Attorney Bernathy stated that this application has been previously reviewed, previously approved, and previously recorded with the County. Attorney Bernathy inquired if new plans had been submitted, to which Mr. Shay stated that they had been. Attorney Bernathy further inquired if any changes had been made to the 2016 plan, to which Mr. Shay responded with no changes had been made. Cole Shay stated that part of the delay was with Pike County Conservation and land disturbance with redoing the lot. The review letter from Pike County Planning states that they have review the plans and have no comment.

Lou did not realize that this was a repeat application and was under the impression that this was a new application. He states that all of his comments have previously been addressed. He states that the application should have stated that this is a resubmittal of a 2016 plan that had previously been approved and recorded. We had previously gone through the floodplain application, an EMS plan, septic issues, etc. Per Lou, basically everything in his comment letter dated October 20, 2022 is moot. Lou does not believe that we need to go through this plan as it has previously been approved. His only comment would be the performance guarantee as it is required by ordinance. Attorney Bernathy stated that this should not be required as the plans call for ten (10) camp sites. Attorney Bernathy requested that Secretary Hildebrandt obtain from the 2016 file a copy of the Adequacy letter for Erosion and Sediment Control as well as correspondence from the Sewage Enforcement Officer regarding the adequacy of the site. Attorney Bernathy asked if this was ordinance compliant, to which Lou stated that it was. Lou furthered with his only comment would be that the new plan references the 2016 approval and recorded plan.

No Public Comment was received.

There were no emergency services issues or zoning compliance problems with this application.

A motion was made by Twila Decker to accept recommend approval of the Tri-State RV Park Final Minor Land Development Plan. The motion was seconded by Jolie DeFeis and carries with all in favor.

Attorney Bernathy inquired when the next Supervisor Meeting was scheduled for, which is November 7th. This will ensure that the Township still meets the ninety-day (90) requirement without requiring an extension.

3. Milford Landing Tobacco/Beer Shop Land Development Plan – Request for Extension

No one appeared on behalf of the Milford Landing Tobacco/Beer Shop, but correspondence dated October 11, 2022 was received by the Planning Commission from LVL Engineering. This correspondence states pursuant to Section 508 (3) of the Pennsylvania Municipalities Code, 53 P.S. 10508(3), we represent that we are the agent for the applicant, and hereby agrees to an extension of time for decision by the Westfall Township Planning Commission and the Westfall Township Board of Supervisors, concerning the approval of the Land Development. This extension shall be valid for an additional (60) days from the date of acceptance from the Township.

No Public Comment was heard.

A motion was made by Jolie Defeis to accept the sixty (60) day time extension. The motion was seconded by Pat Cordova. Twila Decker abstained from voting. The motion carries with a quorum voting.

Attorney Bernathy requested that Secretary Hildebrandt docket the time for the extension in order to keep track of the application.

4. Community Self Storage –Lot Combination - 151 Reuben Bell Drive – Tax No. 099.00-01-34 & 38 – Maps for approval

Chris Rinaldi of Rinaldi Surveying presented the plans for the Community Self Storage Lot Combination at 151 Reuben Bell Drive. Mr. Fuller is handling the engineering and land development. Mr. Fuller submitted the lot combination as a portion of his application. Revisions according to Kiley, three (3) revisions and the Pike County Planning comments were made. The applicant states that the Commission now has the most updated maps that are seeking to combine three existing lots into one (1) lot. Lou states that his last comment letter stated that the lots must meet the minimum requirement in the zone and that the applicant shall provide new deeds for the township Solicitor

review prior approval. Mr. Rinaldi states that he has previously submitted the deeds. The Pike County Review Letter states that there is a typo that needs to be corrected. Additionally, Mr. Rinaldi states that he has corrected the typo.

No Public Comment was heard.

A motion was made by Twila Decker to accept recommend approval of the Community Self Storage –Lot Combination - 151 Reuben Bell Drive – Tax No. 099.00-01-34 & 38 conditional upon the deed review by the Township Solicitor. The motion was seconded by Pat Cordova and carries with all in favor.

Attorney Bernathy stated that it is our intention to put this on the Supervisors meeting for November 7, 2022. Mr. Rinaldi stated that the application goes back to July and was concerned that the meeting was not until November and would the application make it in time. Attorney Bernathy stated that there was a previous general extension, for purposes of action, before that and the application is fine.

NEW BUSINESS:

1. Zoning Hearing Board Application for a Special Exception

The applicant is Lamar Advertising, and the owner is Riverview Terrace Property Owners, who are seeking a special exception. The applicant seeks approval to replace existing 10' x 20' sign face with a changeable electronic message sign face of same dimensions. Existing monopole sign structure will remain; only the existing sign face will be swapped out for an electronic sign face. Applicant requests approval pursuant to Section 709.B. of Westfall Township Zoning Ordinance, which permits that use of changeable electronic message signs. Note: pursuant to Federal Law the proposed changeable electronic message sign will not contain moving, flashing, animated or flickering images or lighting. Attorney Bernathy stated that would have been a question that he would have asked as this would cause driver distraction. Attorney Bernathy further inquired if a fee had been received in conjunction with the application, which it had. The sign is currently static and is advertising hospice care. Per Zoning Officer Lori the sign is lower to the ground than the other digital sign by the Diner that is significantly higher. Attorney Bernathy inquired if the matter was zoned appropriately as this is a preexisting structure. Lori the Zoning Officer states that it is zoned appropriately. Additionally, it was inquired if the size or anything else with the sign was being changed. Lori stated that the only change was making the sign electronic.

Jolie stated that there is an electronic sign in New Jersey that is blinding and is at eye level. She finds this sign to be blinding and distracting. This observation was shared by Lou, specifically when the signs turn to a shade of white. Additionally, the lumens of the sign

can be adjusted. Zoning Officer Lori stated that the only thing she noted the ordinances was the thousand-foot separation between signs. Lori did attempt to measure the distance using the Pike County GIS website and the distance is close enough to be noteworthy. Attorney Bernathy stated that the burden should be on the applicant, and that the Township is not going to go out and measure the distance. The sign is zoned appropriately.

Attorney Bernathy requested if there were any comments from Kiley, which there are not. Attorney Bernathy stated that this is not within the jurisdiction of the Supervisors and will go to Zoning for a hearing and that Planning can make a recommendation or a recommendation with conditions.

Public Comment was heard from Ray Banach, who inquired if there were any Penn Dot regulations that we need to have them look at as it is a state right away and the interstate is right there. Attorney Bernathy responded with not that he is aware of. Per Lou there should be a Penn Dot number on that billboard already as it was previously approved. We can make that a condition to have the applicant verify with Penn Dot if any permitting is required and if so, provide proof of the permits.

Jolie inquired if the lumens is including in the zoning ordinance. Lori stated that it is in the ordinance that it complies with the lighting requirements, and further the changing of the sign can only occur every ten (10) seconds or longer unless if the message is for time or temperature. Attorney Bernathy furthered that Zoning can set conditions as well with regard to health, safety and welfare. Additional Comment was heard from Mr. Banach would like to know who will be responsible for going out and assuring that the lumens are not too bright. Attorney Bernathy was unsure as to how we would be able to determine if the lumens are going to be too bright. He requested that Zoning Officer Lori look into how the Township would be able to determine that the lumens are not within the ordinance. Lou believes that if there is an issue with the lumens after the sign is installed the Township can go back to the applicant.

No further public comment was heard.

2. Resignation of Kim Ropke

The Planning Commission has been notified in writing of Kim Ropkes wishes to resign from the commission effective immediately.

A motion was made by Twila Decker to accept Kim Ropke's resignation with regret. The motion was seconded by Jolie DeFeis and carries with all in favor.

No further public comment was heard.

Public Comment: No further public comment was heard.

Adjournment: A motion was made by Twila Decker to adjourn the meeting at 7:49 pm. The motion was seconded by Jolie DeFeis and carries with all in favor.

Respectfully Submitted,

Kaitlin Hildebrandt, Secretary
Westfall Township Planning Commission



501 Allendale Road
Suite 203
King of Prussia, PA 19406
484.460.7050
www.hrg-inc.com

August 23, 2022

Chairperson
Matamoras Borough Planning Commission
10 Avenue I
Matamoras, Pennsylvania 18336

Re: Eastern Pike County Regional Act 537 Plan

Dear Members of the Planning Commission:

On behalf of Westfall Township, Milford Township, Milford Borough, and Matamoras Borough, we are pleased to submit the Eastern Pike County Regional Act 537 Sewage Facilities Plan, including an Environmental Report, for your review and comment. A copy of the Eastern Pike County Regional Act 537 Plan can be viewed/downloaded at:

https://hrginc0-my.sharepoint.com/:f/g/personal/mroberts_hrg-inc_com/EkyrkG4b85lJmBUkSV5iXigBqizS09hcqCrwqxfWRh4myA?e=Z8QW1R

Please submit any comments on the Plan in writing to the Matamoras Borough Council within sixty calendar days. Upon receipt of planning agency comments and at the end of a thirty-day public comment period, the Westfall Township Board of Supervisors, Milford Township Board of Supervisors, Milford Borough Council, and Matamoras Borough Council will consider adoption of the Act 537 Plan by resolution so that the final document may be submitted to the Pennsylvania Department of Environmental Protection (PADEP) and the Delaware River Basin Commission (DRBC) for review.

Please feel free to give me a call if you have any questions.

Sincerely,

HERBERT, ROWLAND & GRUBIC, INC.

Matthew Roberts, E.I.T.
Staff Professional I

MNR/jh
003054.0444

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Enclosures

c: Westfall Township Board of Supervisors
Milford Township Board of Supervisors
Milford Borough Council
Matamoras Borough Council



501 Allendale Road
Suite 203
King of Prussia, PA 19406
484.460.7050
www.hrg-inc.com

August 24, 2022

Mr. David Kovach, P.G., Project Review Manager
Delaware River Basin Commission
P.O. Box 7360
25 Cosey Road
West Trenton, NJ 08628

Re: Eastern Pike County Regional Act 537 Plan

Dear Mr. Kovach:

On behalf of Westfall Township, Milford Township, Milford Borough, and Matamoras Borough, we are pleased to submit the Eastern Pike County Regional Act 537 Sewage Facilities Plan, including an Environmental Report, for your review and comment. A copy of the Eastern Pike County Regional Act 537 Plan can be viewed/downloaded at:

https://hrginc0-my.sharepoint.com/:f/g/personal/mroberts_hrg-inc_com/EkyrkG4b85lJmBUkSV5iXigBqizS09hcqCrwqxfWRh4myA?e=Z8QW1R

At this time, the plan is being reviewed by the stakeholders and planning agencies. Upon receipt of planning agency comments and at the end of a thirty-day public comment period and if there are no comments received by the Delaware River Basin Commission (DRBC), the Westfall Township Board of Supervisors, Milford Township Board of Supervisors, Milford Borough Council, and Matamoras Borough Council will consider adoption of the Act 537 Plan by resolution so that the final document may be submitted to the Pennsylvania Department of Environmental Protection (PADEP) and the DRBC for official review.

Please feel free to give me a call if you have any questions.

Sincerely,

HERBERT, ROWLAND & GRUBIC, INC.

Matthew Roberts, E.I.T.
Staff Professional I

MNR/jh
003054.0444

P:\0030\003054_0444\Admin\Corres\Transmittals\2022.08.22 Plan Submission to Pike County PC.docx

Enclosures

c: Westfall Township Board of Supervisors
Milford Township Board of Supervisors
Milford Borough Council
Matamoras Borough Council

Roberts, Matthew

From: Kovach, David [DRBC] <David.Kovach@drbc.gov>
Sent: Sunday, October 2, 2022 3:43 PM
To: Roberts, Matthew
Cc: Salmon, Cory; Spatz, Mark; milfrdtp@ptd.net; westfallsec@optonline.net; secretary@matamorasborough.com; Laurie DiGeso
Subject: RE: Eastern Pike County Regional Act 537 Plan
Attachments: We sent you safe versions of your files; 2002-023 CP-6.pdf

Mimecast Attachment Protection has deemed this file to be safe, but always exercise caution when opening files.

This message originated from outside your organization

Hi Matthew,

I did a brief review of the Eastern Pike County Regional Act 537 Plan.

DRBC issued Docket No. D-2002-023 CP-6 on March 13, 2019 for the MATW WWTP (attached). The Area Served described in the docket does not include Milford Township East, Milford Township West, Matamoras Borough, and Milford Borough or any other area beyond that of Westfall Twp. Any change in the Area Served as described in the docket requires DRBC review and approval as does any substantial alteration and addition to the WWTP.

Beyond that, I have no other comments.

David Kovach P.G.
Project Review Manager
Delaware River Basin Commission
25 Cosey Road
West Trenton, NJ 08628-0360
609-477-7264

From: Roberts, Matthew <mroberts@hrg-inc.com>
Sent: Thursday, August 25, 2022 10:10 AM
To: Kovach, David [DRBC] <David.Kovach@drbc.gov>
Cc: Salmon, Cory <csalmon@hrg-inc.com>; Spatz, Mark <mspatz@hrg-inc.com>; milfrdtp@ptd.net; westfallsec@optonline.net; secretary@matamorasborough.com; Laurie DiGeso <secretary@milfordpa.org>
Subject: [EXTERNAL] Eastern Pike County Regional Act 537 Plan

Dear Mr. Kovach,

Please find a copy of the Eastern Pike County Regional Act 537 Plan for your review. There is a link to the plan in the transmittal letter that I have attached. If you have trouble accessing the plan through the link, please let me know.

Please let me know if you have any questions.

Best,
Matthew Roberts, E.I.T.
Staff Professional I

HERBERT, ROWLAND & GRUBIC, INC.
501 Allendale Road, Suite 203
King of Prussia, PA 19406

484.460.7050

mroberts@hrg-inc.com | [vCard](#)
hrg-inc.com | [LinkedIn](#) | [Facebook](#)



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Milford, PA 18337
Tel. (570) 296-5540
FAX (570) 409-8348
Website: www.milfordtownshippike.com

MILFORD TOWNSHIP

January 8, 2021

Mark Spatz
Project Manager
Herbert, Rowland & Grubic, Inc.

Subject: Comments, Concerns, and Questions regarding the Proposed Act 537 Plan


Dear Mr. Spatz,

The Eastern Pike County Regional Act 537 Draft Plan was forwarded to the Milford Township Planning Commission on August 24, 2020 by a member of your staff. As you know, our Planning Board has been reviewing and discussing this draft document. They have compiled the attached comments, concerns and questions as of their last meeting of December 22, 2020. This is by necessity a continuing and collaborative process, and therefore the Planning Commission is sharing this compilation with you, the County Planning Commission and the other municipalities and agencies involved, in furtherance of that collaboration.

Milford Township Board of Supervisors is hereby forwarding you these comments, concerns, and questions. The Supervisors respectfully request that you outline the current process for revising the document as they know of some changes they want already but the responses to these comments may necessitate additional changes as well and they are uncertain how many layers of changes will be accommodated. We look forward to your response.

Thank you.

Best Regards,


Shahana Shamim
Secretary/Treasurer
Milford Township

for

MILFORD TOWNSHIP SUPERVISORS
Penney Luhrs, Gary Williams & Rachel Hendricks

Pike County

Phone: 570 296 5540

Office: Monday – Friday; 9:00 A.M. – 1:00 P.M.;

1. Given the current state of affairs regarding the pandemic of Covid 19 whereby citizens are highly encouraged to remain at home, we feel it fair, and necessary to maintain our democratic way of life to hold off any public comment period until such time as public gatherings are reinstituted. *In the spirit of public involvement, a list of acronyms and abbreviations at the end of this document.
2. The Planning Commission respectfully requests a written response from HRG concerning (each of) our comments and questions.
3. The word “SHALL” in the second item of the Executive Summary needs to be eliminated, as it is inconsistent with the body of the document in which Milford Borough is not implementing the OLDS ordinance, rather is instead conducting a five-year long study. The word “SHALL” makes the implementation mandatory, and Milford Borough clearly is not planning to implement such an ordinance.
4. If this plan is approved, a new inter-municipal agreement will be signed, and the contents of this agreement are not stated. There are 4 municipalities and 2 municipal authorities. Who would run this Board? How will people be appointed? Will each municipality and authority have a seat at the table? Who will have control?
5. The engineer admitted that reviewing 1,200 pages, which constitutes ordinances and comprehensive plans of Municipalities of this 1,600 page document, is not needed. Why are these 1,200 pages included in the document? What portions or provisions of those documents will be used to support the 537 Plan? Comprehensive plans and ordinances are living documents that are in review and constant change. It is not clear why those documents at this time would be useful after they are changed. Can they be removed and why shouldn't they be removed?
6. Comments on the task activity report (TAR) have not been received from DEP or Delaware River Basin Commission (DRBC). Furthermore, both agencies should have been consulted prior to any formal planning or studies being conducted. Where is the supporting documentation of those meetings and comments from both?
7. Isn't the first step to this process supposed to be a substantiation for this study ie. ground failure, known as an “anti-degradation letter.” Was such a letter submitted to DEP and if so, please provide a copy. If this step was omitted, please explain.
8. Has the power company been notified of any proposed or emergency impact on their infrastructure?

9. #1 Recommendation (Alternatives) – By going with the grinder pump system the burden of maintenance and repairs falls on the property owner. Added pressure to the property owner mounts when the electric goes out and there is no generator on site. The extra expense of installing a generator would be the burden of the property owner. With grinder pumps, depending on the length to the main line, odor can be an issue. This has not been discussed, please explain in detail. It is also proposed that these two horsepower grinder pumps will be placed in 50 gallon tanks, which will result in frequent start up and shut off which will diminish the life of the pump. The constant start up and running will also increase the electricity use, which is not addressed in the document. Multi-tenant properties will have to have the grinder pumps on the 'house' electricity account.
10. If the plan called for gravity feed, and only several pump stations throughout the system, all of the previously stated grinder pump alternative concerns should be eliminated, correct?
11. It is indicated in the Plan that each EDU is based on 200 gallons per day. A study was done in Milford Borough a few years ago and the average gallons per day was 230 – 250. The national average is 265 gallons. So where did the #200 gallons derive from? Why should this number be used rather than the standard national average? How would using the national average impact the proposed project? Given the smaller number is being used, if it is short of actual usage, how does that impact the capacity, pump station and pipe planning and peak flow planning in this document?
12. \$72 per EDU. Please clarify this fee schedule. We don't know what the wholesale price is for Westfall Municipal Authority or the Milford Municipal Authority. Will this be the same fee for everyone? OR, will there be different fee structures? There is a maximum reasonable charge based on average household incomes; how does that get calculated in this multi-municipal project and how does that compare to this proposal? How would it compare if the price is adjusted due to the EDU gallonage being national average?
13. There is no Impact Statement on development. The impact on the development, preexisting lots, and density needs to be included in the document. What impact on development will the sewage have on preexisting land? When will the system be at capacity? Milford Borough has suggested expanding lot coverage from 35 to 50% due to the availability of sewer infrastructure, which would allow increased size of houses and more bedrooms. Currently, sewage capacity drives the maximum size of the house and number of bedrooms. If the Borough makes this change, this will increase the sewage output from these properties. How will that impact the system capacity and the planning for pump stations, etc.? What recommendations would be made to the Borough and the Township in that regard?

14. A massive expansion would allow restaurants to be able to provide more meals in a day and residential housing to expand. How much capacity does the facility have right now? Is there availability for expansion of the volume of effluent to be treated? Do the municipalities need to prioritize or control the growth to keep the system within its capacity? How far ahead would the municipal authority need to begin planning the expansion of the plant's capacity to ensure it was prepared before capacity is reached and how would the costs of that expansion and planning be shared / allocated? Should each municipality be given an apportionment of the growth capacity or is it first come first serve?
15. A widespread confirmation of on-lot disposal system failures was not confirmed, and according to DEP, we do not have ground failures here; we only have system failures. Why is \$6-12 million expansion of sewage happening? USDA and PennVEST loans (or a combination of the two loans) can be used to solve the issue of a small number of on-lot sewage failures. Fixing the on-lot sewage works when frequent pump outs become necessary. We have good soil for drainage.
16. What other clear alternatives, other than some type of central sewage were considered? How has Westfall Township benefitted from the 20 years hooked up to central sewage? Have they provided high quality and family supporting jobs?
17. The location of the lines in streets and alleys needs to be clearly defined. How do we pick a definite route for pipes, etc. 10 years in advance?
18. The Borough says there will be no tapping fee. However, the tapping fee cannot be waived by the Borough since this fee goes to the Municipal Authority to be used for capital improvements. The Borough might get grants, but that does not mean that the tapping fee can be avoided? How can it be implied that there will be no tapping fee when the fee is unavoidable?
19. Table 3.3 Summary of Tier 2 Survey Malfunction Categories - there is no cross referencing of the recommended sewer expansion area with the numbers referenced here. Accordingly, it is not possible to ascertain whether or how many of these properties have the potential to be served or would be mandated to be served by the expansion of sewer service as it is being recommended.
20. 3.3.2 Well Water Survey – indicates there are “no properties within the planning area that are serviced by private wells...” – there is no cross referencing of the OLDS surveyed against their specific water usage to ensure they are indeed served by public water. This is a particular challenge in Milford Township wherein the majority of the properties are not served by the public water system and the portion of Westfall Township that this expansion includes, an area which is currently in its majority not

served by the Milford Water Authority or the Matamoras Water Authority. Further, one Milford Township development near the path of the planned expansion area has a well that is immediately adjacent to the planning area, is not currently served by municipal water because the MWA and the development did not reach an agreement for service adequate to both sides, and reportedly has a Court Order that will require their septic sewage land area to be deeded back to the developer should central sewer become available.

21. Page 4-3 Land Use Plan – “Capacity at the MATW WWTP has been reserved [for the Katz Uses] but the land has not been developed”. Do the capacity projections in the plan include the Katz reserved capacity or exclude that capacity as the development has not happened yet? Would the Katz reserve capacity, in tandem with the recommended expansion area, cause the WWTP to exceed its DRBC & DEP approved capacity?
22. Page 4-7 4.1.2 Land Use Conservation – “existing subdivisions in Milford Township are full.” This is a misstatement of fact. Perhaps it would be more accurate if the statement were limited to the developments along the recommended path and immediately adjacent to the sewer expansion area as proposed.
23. 4.4 Page 4-23 Table 4.11 Population History and Projections – does not note that the County’s projections were not realized for 2010 and the County does not even seem likely to have reached the 2010 projections by 2020, rather experienced a significant change in the pattern. It is important to note that, so as not to misrepresent the growth of the area and the resultant demand for infrastructure.
24. 4.5 Wastewater projection Page 4-23 – DVHS is based on an annual average. Does this present an issue considering the annual average is utilizing significantly lower activity and could distort calculations for peak flow planning?
25. 4.6 Summary of Wastewater Planning Needs – Page 4-24 States that Milford Township is served “entirely by OLDS,” would it not be more accurate to say OLD/COLDS?
26. 5.2 States there are 10 potential connections from where the line currently ends at McDonald’s to the Milford Township line. This is not an accurate statement. 1. DV Complex 2. Village Diner 3. Milford Senior Care 4. Have a Hoot 5. Crossfit 6. Kitattinny Campground 7. Westfall Professional Building 8. Tschopp’s 9. Pierce House 10. Office Bldg 11. Mobile Home Park and industrial building 12. Music Center 13. Sequoia Tree 14. Residence next to tree service 15. Pike County Light & Power 16. Sunshine Station 17. Tractor Supply 18. Scottish Inn/Fairbanks Inn – it should be noted this does not include any in fill of vacant properties of which there are several. If there are 10 potential connections because of some response from the property owners or another particular reason, that should be noted. If Westfall Township implements a mandatory hook up ordinance as is being recommended, how would these additional

properties, not currently served by public water, impact the capacity and flow recommendations and pump station capacity?

27. Alternative 4A says 33,500 gallons per day but Alternative 4C says the same connections but shows 22,600 gallons per day. Why is that?
28. The Broad Street option shows 49 connections but the 4D option of using the alleys shows 68. Are these additional connections commercial as well?
29. 5-4 How is it that Alternative 6F originally (in the June version of the plan) says 48 residential connections and though nothing else has changed in its description it now says only 19 residential connections?
30. How is it that Alternative 7 originally showed 123 commercial connections in the June version but now it shows 134?
31. Figure 5.2 “Projected Organic Loads” shows a spike at October 2019. Why did it spike in October of 2019? Is that 1000 gallons per day?
32. 5.2 Pg. 5-6 Typo – Price Chopper, not Shopper
33. 5.2.1 Conventional Gravity Sewers states the feasibility of conventional gravity is dependent on high groundwater tables... Was there a review of a groundwater study to cross reference with the planned areas to the system? Where did they identify that as an issue?
34. 5.2.1 Low Pressure Systems – What is meant by “sewage may be septic?” “Odor problems” typically arise at what length? This has a huge potential for quality of life deterioration and negative impact on tourism!
35. 5.2.1. LPS When discussing grinder pump systems – Is 50 gallons sufficient for the fiberglass basin? How fast would 50 gallons fill in a power outage in an average home? Would the basin size be regulated and by whom or what? Who determines the type of pump (there are two listed)? Benefits and drawbacks of each type?
36. How many of the “suspected failures” shown on the chart are in the proposed sewer area?
37. The proposed system includes manholes every 400 feet and at every change in direction. What are the maintenance requirements for these manholes and what types of problems can arise from them? Sinkholes? Stormwater management issues? Are these maintenance requirements born by the Authorities or the municipalities and are the maintenance costs factored into the costs outlined in this plan?

38. Where exactly on E Harford Street does the system end?
39. 5.5 Pg 5-9 COLDS are not recommended – Why should Milford Township restrict the ability of a developer to choose whether to hook up or use a COLDS system? What happens if this plan is enacted but the extension is not done for an extended period of time; are new projects blocked unless they extend the line themselves? Could this language be used to force areas of the Townships not in this plan to become sewerd i.e. if COLDS are not recommended anywhere in the Township but the sewer lines are in a limited area? If Milford Township is merely a conveyance line why should the properties there be restricted against COLDS systems?
40. “Too expensive” to do a COLDS Alternative as compared to the full line extension project; that seems improbable, doesn’t it? What about the interim basis - shouldn’t a COLDS system be permissible if the line is not ready or will not be ready by the time the project would be operational?
41. 5.5 on Page 5-9 2nd paragraph, second line form the bottom trails off “connect once the sewer’ then a new sentence begins. What’s missing?
42. 5.1.4 ‘Provide for only minimal growth in the planning area” – Define minimal? How so?
43. 5.11.5 No cost estimate is given for repair and replacement. For such a small number of properties what would it cost to get that? How can we NOT have that?
44. 5.11.6 The extensions proposed area... subject to change. By whose authority?
45. 5.11.6 How will all the manholes affect stormwater and be affected by stormwater? Does this create concern for sinkholes? Snow plowing issues? Long term road maintenance issues?
46. 5.11.6 #12 – Are the municipal paving depths accurate to us?
47. 5.11.6 #22 – Is that entire area outside the 100-year floodplain?
48. 5.14 There is a \$1600 tapping fee built into the estimates. Borough Council members are saying no tapping fee. On follow up the Borough Council President is saying the tapping fee will be paid using grant money for the businesses. What grant funding source will pay that?
49. Table 5-26 on Pg. 5-40 indicates the tapping fees are not to contribute to the project cost for Milford or Matamoras planned alternatives. Why is that? Does that mean no

tapping fees will be charged? Who will ultimately determine the tapping fees? Has the Milford Water Authority contributed speculative tapping fee or per EDU fees to this study or acknowledged the legitimacy of the rates herein?

50. Pg. 5-8 5.4.2 Water Conservation – “The use of laundry facilities may be limited to one load per day or discontinued altogether.” This statement writes into our plan the ability of the local government enforcement officer to micro-manage the essential life activities happening inside a residence in a way that seriously jeopardizes the functionality of a home and frankly is unlikely to be enforceable. Furthermore, it begs the question, should properties on the extension, including new development, reach or nearly reach the system capacity, would such intrusive overreaching be used (or attempt to be used) on the participating properties? Considering their ability to remedy the situations would be nil, such would be extremely dangerous to the local economy.
51. Pg. 5-10 5.7 Holding Tanks – Does Milford Townships want a holding tank ordinance? Why should we adopt one? Why would this be driven by this plan without direction coming from the Township Supervisors or Planning Commission as ordinances are, normally and typically? Again, if Milford Township is just a conveyance line, why would we need to do this?
52. Pg. 5-10 5.8 Sewage Management Programs – “Will evaluate the implementation... will draft [OLDS Management Ordinance] by year 2... and complete by year 4.” Why would Milford Township, as a ‘conveyance/transmission’ municipality be held to a higher standard than Milford Borough, whose overdevelopment and density are driving the purported need for this sewer extension and plan update? This is frankly and absolutely unacceptable.
53. Pg. 5-11 – Suggesting that “systems may be inspected by an authorized agent at any reasonable time including the introduction of ... substances into interior plumbing...” is another government overreach of private property rights. Even in landlord/tenant situations occupants must be given notice before entry into their home. No thanks! This is not appropriate for our community!
54. Public Education – what sort of resources does this require the municipality to provide residents? What expenses does this cause the municipality to incur? Is this within the control of each municipality? Can this program be used against the municipality if a system fails and the residents are abiding by the requirements and maintaining their systems? Can DEP mandate what must be provided/spent by the municipality in this regard?
55. Pg. 5-13 5.11.3 Alternative for Milford Borough – “The alleys behind E and W Harford St are proposed... lower cost for owners to connect... located in the back of the property... lower restorations costs as these alleys are not PENNDOT roads.” There is

no alleyway behind one side of Harford Street. How will the costs be equitably divided, given this benefits owners on one side of the street at the added expense of those on the other and what is the plan to provide service to the far side of Harford Street?

56. Several of the buildings with major issues and needs are on the far side of Harford Street, including the Dimmick Inn, located at the main intersection of town. How will service to these properties be achieved without crossing the PENNDOT road, a road which is the lifeblood of this entire region and the disruption of which will cause massive temporary traffic problems and have dire economic consequences for the local businesses? If lines are going to cross Harford Street in multiple locations, this would be disastrous for the duration of the construction period. Is that 'alternative' cheaper than running the line down the street itself where construction zones could be set up to permit one lane traffic as both sides of the road are not being crossed at the same place?
57. 5.11.5 No Action Alternative – “however it does not address the issues raised... and business economic viability in the Plan Areas.” Where in this study has the economic viability of area business been analyzed? [It has not]. While it may be true that a very small number of specific properties with problematic systems and high volume uses may have site locations that limit the traditional solutions they can deploy to correct them, this study has not analyzed alternatives that could be done to serve those systems economically, nor has the study undertaken assessments of alternative locations those businesses could relocate to, nor alternative business types that would be better suited to those property limitations and more economically profitable and viable for those sites. Further, it is not within the scope or purview of this study to assess the economic viability of individual properties nor has this study undertaken analysis of whether some businesses and properties will have their economic viability diminished as a result of this proposed project, which several business and property owners have also purported. As such, this unqualified statement needs to be removed.
58. Frankly, that this study would suggest that homeowners could or should be forced to limit their property use by so far as limiting their ability to do household laundry whilst business property owners facing system issues should instead be the catalyst for the entire planning area to spend millions of dollars for the benefit of those few business(es)' economic viability rather than even determining the cost of alternatives they may be able to provide themselves or alternative business plans that could mitigate their issues is uneven, unfair and bias, contrary to what the municipality(ies) should undertake to be in our approach to govern properly for the people and by the people.
59. Pg. 4-24 4.5 The 200 GPD = 1 EDU originates with the Westfall Twp. “Chapter 94 Report.” What is this and given its significance why is it NOT included in this document as an appendix item? Please supply a copy of this document ASAP.

60. Pg. 4-8 Build Out Analysis – The composite zoning map is used to show “buildable/non-buildable land.” This does not identify what is previously classified as non-buildable by virtue of inability to “perk” for OLSS (On Lot Septic Systems) and would become buildable by virtue of this project.
61. Pg. 4-12 Build Out Analysis Chart – How is it that the water consumption is listed as 175 gpd per household while the sewage generated is listed as 200 gpd per household? If the sewage can be so much more than the water consumption, how is it that this analysis equates the two figures and wouldn’t that potentially underestimate the sewage flows in this plan?
62. Pg. 5-41 5.11 Conclusions – “along Pennsylvania is” should be along Pennsylvania Avenue.
63. Pg. 5-41 5.11 Conclusions – “Because Westfall Township will not institute a mandatory connection ordinance...” – How does Westfall Township Ordinance. No 109 enacted 5/7/2002 as denoted on Pg. 1-3 #12 differ from such a mandatory connection ordinance?
64. Didn’t the DEP require the new intermunicipal agreement, which covers the governance, costs and authorizes the breakdown of roles, responsibilities and authority across the municipal authorities and municipalities prior to finalization of the TAR and this Plan? Who is to take the onus on drafting that Agreement (and paying for the drafting)? Why should Milford Township finalize this Plan for approval by DEP and be held to it when we do not know how we will be treated by the other entities in the proposed Agreement and whether we will have representation with whatever entity(ies) are given authority over the proposed system? We currently have none on the MWA though the Borough has allowed a township resident/property owner appointee of their choosing, from time to time. 5.11 Pg. 5-41 Conclusions indicates “Once the sewage rates are set and agreed upon, it is not anticipated that there will be any other complications regarding the inter-municipal agreement.” Representation on a Board(s) that will have autonomous future authority over fees these township property owners will have no choice once hooked up to pay, and the handling of capacity, prioritization of new development in available capacity etc. are all important “complications” to that Agreement.
65. Pg. 5-37 Table 5-23 includes the cost for 67 test pits @ \$550 each. Does that cost include the restoration cost for those test pits and average out over the cost of the whole 67 (as it seems test pits would be dug in streets, alleys, curbs).
66. Pg. 5-37 Table 5-23 includes 191 curb stops and check valves but there are 284 EDUs being connected. Some users are more than one EDU but how was that number derived? Is it 191 properties?

67. It is unclear if this plan will replace the existing Milford Township Act 537 Plan and become, once approved, the sole Act 537 Plan for Milford Township, which is a concern as it focuses almost entirely on the “Planning Area” and this document requires an OLDS ordinance, a Holding Tank ordinance and it says there will be no community systems. We currently have an informal proposal that includes a COLDS system, in the planning area. Could Milford Township be forced to pay for the line extension to that property should we adopt this plan which prohibits a COLDS system, whilst the infrastructure to replace it has not yet been provided. Doesn’t DEP and DRBC prefer to have COLDS systems than discharging into the Delaware?
68. Please supply a list of the professionals that have had responsibility to review this document and their association with each/any government entity including the County, who is the primary funding agency for this Plan.

Due to the limited time constraints on this project, we have done the best we can to present you with the above findings. Having more time would have enabled us to review more thoroughly the graphs and charts accompanying this Plan as well as scrutinizing the printed word with more care.

Acronyms and abbreviations:

DEP – Department of Environmental Protection
DRBC – Delaware River Basin Commission
OLDS – On Lot Distribution System
COLDS – Community On Lot Distribution System
Perk – Percolation test for the rate of permeability into the soil
TAR – Task Activity Report
HRG – Herbert Rowland and Grubic Engineering firm
EDU – Equivalent Dwelling Unit (in gallons)
GPD – Gallons per day
LPS – Low Pressure System
USDA – United States Department of Agriculture
PENNVEST – Pennsylvania Infrastructure Investment Authority
MATW – Municipal Authority of Westfall
MWA – Milford Water Authority
WWTP – Wastewater Treatment Plant
DVHS – Delaware Valley High School
OLSS – On Lot Septic System
Tapping Fee – the price for tying into the main line
PENNDOT – Pennsylvania Department of Transportation

Milford Township

Response to Planning Commission Comments

January 12, 2021
Last Rev. February 16, 2021

We have reviewed Milford Township Planning Commission's Comment Letter from 1/5/2020, regarding the Eastern Pike County Regional Act 537 Plan project. First, we thank the members of the Planning Commission for their time and diligence in reviewing this document. Our responses are indicated below.

1. Continuity of government in an open and transparent manner is essential, but must be conducted differently in these extraordinary times. The State has recommended:
 - Consider live-streaming meetings through Facebook Live, Skype, GoToMeeting, or other platforms (Zoom).
 - To encourage less in-person attendance, provide alternative means for public comment, such as an email address where comments may be submitted in advance or a call-in number.

In 2020 and 2021, it is common for municipalities throughout the State to be conducting their business through live-stream meetings. In addition, the other municipal stakeholders within the regional plan have successfully held live-stream meetings, which in many cases makes it easier for residents and business owners to attend in the comfort of their homes, to present the Plan, to address questions and take comments. Recognizing the timeline of COVID restrictions and risks, the Township feels it is appropriate to keep things moving forward on the Plan utilizing all the tools at our disposal to make sure things are handled in a fair and completely open and transparent manner. The Plan has been posted at the link: <http://tiny.cc/easterpike537> for 6-months at this point – a more accessible method than viewing one copy at a public office (minimum requirement) – and in addition, live-streamed public meetings throughout the State are showing larger numbers of attendees, not less, because residents and business owners can connect no matter where they are at or what they are doing. Through the public comment period, the Plan will be advertised in the local paper and be available at the above link which will be reference in the advertisement and on the Township's website.

2. All comments on the Plan are addressed by the Milford Township Board of Supervisors (BOS). HRG helps the BOS prepare responses, but ultimately it is the Township's responsibility to address sewer planning within its jurisdiction. The focus of responses below remains on the Township's sewer planning area as the Township has no jurisdiction to control sewer planning for other municipalities. However, a copy of the Planning Commission's comments were forwarded to stakeholder municipalities for their information and consideration.
3. "Shall" was removed and wording was altered to avoid any confusion and make it explicitly clear that Milford Township is not planning to implement an On-Lot Disposal System (OLDS) ordinance in the immediate future unless the 5-year monitoring period deems it is warranted and necessary.
4. The agreement will need to be worked out between the 4 municipalities and 2 municipal authorities after the Plan is approved. As stated in the Plan, the implementation of the plan is contingent upon an inter-governmental cooperation agreement (inter-municipal agreement) being reached. No public sewer connections are anticipated in the Township and therefore no billing is anticipated. As a result, the Township's section of the intermunicipal agreement is expected to be minimal. The Milford Municipal Authority is anticipated to build, own, and operate the transmission line through the Township. *Any property wishing to connect in the future will need to submit a Planning Module to revise the Act 537 Plan for review and approval by the Milford Township Board of Supervisors and

the Milford Municipal Authority as the planned owner and operator of the line (The Authority) in the Plan.

5. The 1,200 pages which constitutes ordinances and comprehensive plans are required to be included by the DEP Act 537 Plan Checklist. The documents were read through and reviewed and generally summarized in Chapters 1 through 4. The engineer said they were not essential for the Planning Commission to review as presumably the planning commission is familiar with the Township's plans and ordinances. An example of using the documents is the zoning maps. The zoning maps are used to target commercial zoning districts in the alternatives as that is a designated needs area by the municipalities. In addition, there is a large excess of pages due to the regional nature of the Plan as there are 4 separate municipalities involved. The most recent comprehensive plans, relevant ordinances, etc. provided by the municipalities are included in the Plan. While they are living documents, these are the most relevant at the time of the plan. The Act 537 Plan is also a living document.
6. The DRBC does not review the DEP Task Activity Report (TAR). The stakeholder municipalities along with HRG have been in contact with the DEP and DRBC. HRG has been in contact with the DEP regarding the TAR and has received several comments. We have also attended an in-person meeting with the DEP with all four stakeholder municipalities present. Milford Township had representation at the meeting with DEP on December 6th, 2019, to discuss the TAR. Any of the outstanding items the DEP had based on the TAR submissions prior were solved and the Draft Act 537 Plan was sent to the DEP on June 1, 2020. DEP has declined to review the Draft Act 537 Plan (due to limited resources) until they receive the adopted Plan by the municipalities (a normal process). Milford Township has all communication with the DEP regarding the TAR as of HRG's letter (with enclosures) dated September 2, 2020.
7. No "anti-degradation letter" was completed. The DEP or DRBC has not informed the municipalities that it will be required at this point as the discharge of the planned treatment facility will not be to a High Quality or Exceptional Value stream.
8. No public sewer connections are anticipated in the Township. All properties within the Township are anticipated to remain on OLDS. Utility coordination will be completed during the design phase. We have been advised that the power demand is less than a household dryer; particularly considering run time and frequency per day, according to HRG, the MATW Engineer.
9. No public sewer connections are anticipated in the Township. The Township has chosen the No Action Alternative. We have been advised that it would be "inappropriate" for us to comment on the activities in the Plan which will take place outside of Milford Township.
10. See response #9.
11. See response #9.
12. See response #9. We are advised that future connections and the pricing and structure of these will be handled via the Planning Modules and agreements with the MWA that will have to be submitted when the same may be proposed. See also #4*.
13. See response #9. We are advised that this is outside of the scope of Act 537 planning.
14. See response #9.
15. See response #9.
16. See response #9.
17. See response #9.
18. See response #9.

19. The results of the table are shown in Appendix G on the Survey Results Map. The Survey Results Map was utilized to analyze alternatives. A representative from stakeholder municipalities met multiple times (once a month) from June 4, 2019 through August 5, 2020 to discuss the Plan and the municipalities desiring a public sewer alternatives selected the recommended alternative. Milford Township selected the No Action Alternative.
20. DEP may require this well to be tested in the future. If testing is required and contaminants are found, the SEO will need to work with local OLDS owners to rectify.
21. No public sewer connections are anticipated in the Township. Planned flow impacts to the existing wastewater treatment plan are addressed in Chapter 5. See also #4*.
22. The statement will be changed as suggested.
23. The data used is from the most recent Pike County Comprehensive Plan, but the plan has been modified to use the census data for the most accurate and up to date information.
24. The DVHS resides in the Westfall Township Planning Area. A copy of the Planning Commission's comments were forwarded to Westfall Township for their consideration.
25. Wording has changed to say OLDS and COLDS. COLDS are a subset of OLDS, but the change is made.
26. See response #24.
27. Alternative 4A-4C is for public sewer service outside the Township Planning Area. However, should be 21,200 GPD in terms of immediate connections. The Plan has been updated accordingly.
28. This comment is for a public sewer alternative to serve properties outside of Milford Township's Planning Area. A copy of the Planning Commission's comments were forwarded to Milford Borough for their review.
29. See response #28.
30. See response #28.
31. Organic loads vary. Capacity calculations are based on the past 5-year records and show that with the added waste loads of the selected public sewer alternatives – which will serve properties outside the Township's Planning Area – capacity will still exist at the Westfall Wastewater Treatment Plant (WWTP).
32. The typo has been corrected.
33. No public sewer connections are anticipated in the Township. A detailed study of the groundwater table was not completed because the gravity alternatives were not found to be the most cost effective alternatives for public sewer in other municipalities.
34. See response #9. We have been advised that the portion of the sewer line that comes through the Township will have no ability to generate odor.
35. See response #9.
36. There are 12 suspected OLDS system failures within the Township's Planning Area.
37. No public sewer connections are anticipated in the Township therefore no public sewer service fees are anticipated for properties within the Township's Planning Area at this time. See response #45.
38. E. Harford Street is outside the Township's Planning Area.
39. COLDS are not recommended in terms of a municipally operated public wastewater treatment alternative. They can be constructed on an individual property basis. No public sewer connections are anticipated in the Township so new OLDS or COLDS are anticipated.

40. No public sewer connections are anticipated in the Township so new OLDS or COLDS are anticipated.
41. The paragraph has been revised to state "... connect once public sewer is available."
42. Milford Township is selecting the No Action Alternative. See response #45.
43. OLDS are private systems for which repair or replacement will vary based on the specific property. The cost of which will be born by the private property owner. The cost to study private property owner expenses to replace their system falls outside the scope of this study. The study is focused upon public system alternatives to conventional OLDS.
44. The Act 537 Plan is a living document. The Milford Township Board of Supervisors are responsible for proper sewer planning within the Township.
45. The proposed transmission line through Milford Township would be within the State Road right-of-way. The Township does not own or maintain this area. Additionally, the new infrastructure is planned to be owned and operated by the Milford Municipal Authority. No sinkholes or other concerns are anticipated.
46. See response #45. No municipal paving is expected to be impacted.
47. The proposed transmission line through the Township is outside the 100-year floodplain.
48. No public sewer connections are anticipated in the Township and therefore no fee for use is anticipated in the Township. See also #4*.
49. See response #48.
50. It is a standard method usually written in for Act 537 Plans as a way to mitigate potential OLDS concerns while repairs are being planned or as a way to extend the life of the system. Based on the concern, this section will be removed as it is not necessary.
51. It is recommended as a means for temporary solution when an OLDS is under repair. Holding tanks are not recommended for permanent usage. A holding tank ordinance will allow the Township to monitor the usage of them for proper future sewer planning.
52. Milford Borough requested this change in August 2020 with Council's first review of the draft plan before it was transmitted to the planning agencies. Westfall Township did the same through their planning commission review. The language has been changed to reflect the same planning in Milford Township.
53. The provided OLDS Ordinance Template comes from DEP. Milford Township will evaluate changes to the template if an OLDS ordinance adoption is deemed to be warranted after the monitoring period (see response #52).
54. The resources put into Public Education is ultimately up to the municipality. The DEP cannot mandate how much is spent and the program should not be able to be used against the municipality.
55. East and the subject portion of West Harford Streets reside outside of the Township's Planning Area. A copy of the Planning Commission's comments were forwarded to the Borough for their review. The subject area is within the Borough limits.
56. The subject area of Harford Street resides outside of the Township's planning area. A copy of the Planning Commission's comments were forwarded to the Borough for their review.
57. The No Action Alternative is what has been selected by Milford Township. No public sewer connections are anticipated in the Township. This statement is in reference to the failed system found within the Township's Planning Area which will be addressed by the Township's SEO with the property owner. Additionally, there are several Suspected systems within the Township – as defined

by DEP – that if do require repair or replacement in the future, that too will be addressed by the Township’s SEO directly with the property owner. See also #4*.

58. See response #9.
59. The 2019 Westfall Township Chapter 94 report resides in Appendix D.
60. This is from 2006 Pike County Comprehensive Plan, On-Lot Suitability is shown in Map 5 in Appendix C.
61. See response #9.
62. The sentence is revised.
63. This comment relates to properties outside the Milford Township Planning Area. A copy of the Planning Commission’s comments were forwarded to Westfall Township for consideration.
64. See response #4.
65. No public sewer connections are anticipated in the Township. Therefore, no rate payers are anticipated in the Township. The restoration costs are built into the Test Pit Price.
66. No public sewer connections are anticipated in the Township. It is the number of properties that will connect in the immediate future in other municipalities.
67. If approved, this Act 537 Plan would be the most up to date Act 537 Plan for Milford Township. Regarding COLDS systems, see response #29.
68. The following professionals have had the responsibility to review this document:
 - a. Matthew Roberts, Mark Spatz, P.E., and Cory Salmon P.E. of HRG
 - b. Michael Mrozinski, Pike County Planning Commission
 - c. Milford Borough Council and Milford Borough Planning Commission
 - d. Milford Township Board of Supervisors and Milford Township Planning Commission
 - e. Westfall Township Board of Supervisors and Westfall Township Planning Commission
 - f. Matamoras Borough Council and Matamoras Borough Planning Commission
 - g. David Kovach, P.G. of DRBC

December 7th, 2020

Dear Council Members,

The Matamoras Planning Commission is making a recommendation of the updated 537 Plan without the endorsement of the executive summary. At this time, no particular alternative plan is being endorsed.

Thank you for your consideration.

Sincerely,

A handwritten signature in black ink, appearing to read "Eric Kudrich", written in a cursive style.

Eric Kudrich

Chairman

Matamoras Borough

Response to Milford Borough Planning Commission Comments

December 14, 2021

We have reviewed the Matamoras Borough Planning Commission's Comment Letter from 12/7/2020, regarding the Eastern Pike County Regional Act 537 Plan project. Our responses are indicated below.

1. Acknowledged.

Borough of Milford

Commonwealth of Pennsylvania



**500 Broad Street
Milford, PA 18337
570-296-7140**

October 14, 2020

Milford Borough Council

Dear Borough Council:

The Milford Borough Planning Commission met on August 19, September 14, September 28 and October 12, 2020 to review the ACT 537 Plan for Central Sewage prepared by HRG Engineering on behalf of the Borough of Milford (along with the Borough of Matamoras and Milford Twp.)

The Planning Commission reviewed the Plan, and specifically Option 6f, to assess the consistency of this central sewage option with Borough Zoning, SALDO, and the Borough Comprehensive Plan.

A quorum was present at the October 12th meeting and it was agreed at that meeting that Planning makes the following observations/recommendations to the Milford Borough Council:

- **Recommend NO additional hookups for a period of time (5 years) if implemented to ensure the capacity and functionality throughout the system for the identified 537 alternative 6F for the Borough.**
- **There is No conflict with Zoning, SALDO.**
- **There is No conflict with the 2006 joint Comprehensive Plan, in fact, the 2006 Plan recommended central sewer be investigated for the commercial district of the Borough, but not necessarily for the Township.**
- **Recommend replace the language to SALDO Chapt. 265-37B – Lot size – (currently says ½ acre for lots served by Central Water and Central Sewer, and 1 acre if NOT served by Central Water or Central Sewer) to say 1 acre for lots served by “Central Water and/or Central Sewer”. (This change is more consistent with language in the zoning Schedule of Development Standards but this SALDO chapter should be reviewed at some point with regards to the zoning lot size ordinances).**
- **Recommend changing allowable lot coverage (for accessory uses) for lots served by Central Sewage – now 35%, could increase to 50% at some point in the future; Unrelated to the Central Sewer issue, Shawn Bolles recommended to also change definition of impervious surface, should not include stone, compacted soil as a material at the same time. (These would be future changes)**
- **Recommended adding “Central Sewage systems” to the last paragraph of §312-33 S.**

Respectfully submitted,

Pamela Ahlstrand, Borough Secretary

On behalf of the Milford Borough Planning Commission

Milford Borough

Response to Milford Borough Planning Commission Comments

November 16, 2020

We have reviewed the Milford Borough Planning Commission's Comment Letter from 10/14/2020, regarding the Eastern Pike County Regional Act 537 Plan project. Our responses are indicated below.

1. A sentence will be added that recommends no additional hookups for a period of 5 years if implemented to ensure the capability and functionality through the system for the identified Alternative 6F for the Borough.



September 23, 2020

WESTFALL TOWNSHIP PLANNING COMMISSION

WESTFALL TOWNSHIP ZONING OFFICER

102 LaBarr Lane

P.O. Box 247

Matamoras, PA 18336

(570) 491-4065 Fax (570) 491-6353

Mr. Robert Melvin, Chairman
Westfall Township Board of Supervisors
P.O. Box 247
Matamoras, PA 18336

Re: Eastern Pike Regional Act 537 DRAFT Plan (Sewage Extension)

Dear Mr. Melvin:

Please be advised the Planning Board has received a Draft Plan for the Eastern Pike Regional Act 537 Plan for review and comment.

At the September 22, 2020 Regular Planning Commission Meeting, a motion was made and carried unanimously to send the Draft Plan to the Supervisors for review and that the Draft Plan is not in a form acceptable to the Planning Commission and is subject to all comments listed the Kiley Associates, LLC review letter dated September 22, 2020 and all comments noted in email dated September 22, 2020 from Chris Wood, Sewage Enforcement Officer. I am attaching the Kiley Associates, LLC and Mr. Wood's correspondence for your review.

I will forward the email from Herbert, Rowland & Grubic, Inc. which includes the Draft Plan for your review. I will also forward emails which the township was copied between HRG and the DEP. All comments from Westfall Planning and Supervisors must be submitted to HRG by October 19, 2020 and then a public comment period will be scheduled.

Very truly yours,

Jodi Hulse, Secretary
Westfall Township Planning Commission



September 22, 2020

Westfall Township Planning Commission
102 LaBarr Lane
P.O. Box 247
Matamoras, PA 18336

**RE: Draft Regional Act 537 Plan – Eastern Pike County
Review #1**

SEP 22 2020

Dear Planning Commission:

As requested, we have reviewed the above referenced plan prepared by Herbert, Rowland & Grubic, Inc. dated August, 2020 and have the following comments:

Executive Summary:

1. The summary on page 1 indicates that Milford Township not included in the 537 expansion. Please clarify that Milford Township will not have any connection to the new sewer system.
2. Why is Westfall Township not instituting a mandatory connection ordinance?

Chapter 1:

3. Is Westfall Township going to update their 537 Plan with or without the other municipalities?
4. Table 1-1: The municipalities should be listed in this table.

Chapter 3:

5. 3.2: What was the date that the DVSD was told to upgrade or connect to the MATW system?

Chapter 5:

6. 5.3: The sewage reserve for the Katz development should be included.
7. 5.4.2: Please clarify that individual laundry usage may be limited to one load per day or discontinued altogether for all individual single family dwellings. If this is the case, please explain the mechanism to restrict laundry flows.
8. Cost Opinion Tables: The opinion of probable costs provided should be projected out ten (10) years to match the timetable in Chapter 8, Table 8-2.

536 Purdytown Turnpike, Lakeville PA 18438

Phone: (570) 226-5810

Fax: (570) 226-5811

www.kileyassoc.com

Draft Regional Act 537 Plan – Eastern Pike County
Review #1
September 22, 2020
Page 2

9. 5.11: Please clarify that Milford Township has not expressed an interest in joining the sewer extension along Rt. 6/209.

Chapter 8:

10. Table 8-3: The anticipated costs of construction should be projected out ten (10) years to match the timetable in Table 8-2.

If you have questions or require further information, feel free to contact me.

Best regards,



Louis J. Cozza, Project Manager for
Kiley Associates, LLC
Township Engineer

Jodi Manheim

From: chris wood <on-lotsewage@hotmail.com>
Sent: Tuesday, September 22, 2020 10:16 AM
To: Jodi Hulse
Subject: Please text me that you received this thx CW

Memo

To: The Westfall Township Planning Commission
From: Chris Wood SEO
Re: Westfall Township 537 Plan
Date: 9/21/2020

Jodi asked me to review Section 3 of the proposed 537 plan revision to which I offer the following:
When preparing a plan, there is an inherent bias by the author. I could write a plan showing Milford Borough is in an extreme need of central sewage. I could write a plan showing Milford Borough does not have a need for central sewage. Both could be documented and defended. As the Milford Borough Council is dominated by members of the business community that want central sewage, it is my belief that there is a bias toward that goal.

Before I begin, I must note that DEP has been requiring municipalities to set up sewage management programs for their on-lot systems not connected to central sewage. This is glossed over in section 3.3.4. Here are the pertinent sections of the regulations:

§ 71.73. Sewage management programs for sewage facilities permitted by local agencies.

- (a) When sewage facilities are permitted by local agencies, the municipality is responsible for taking actions necessary to assure continued compliance of these sewage facilities with the act, The Clean Streams Law and regulations promulgated thereunder.
- (b) When an official plan or official plan revision shows, or the Department determines, that existing sewage facilities permitted by the local agency need periodic inspection, operation or maintenance to provide long-term proper operation, or are not properly functioning because of inadequate operation and maintenance, the municipality shall revise its official plan to establish a sewage management program for these types of facilities. The update revision shall include the following as a minimum:
 - (i) Removal of septage or other solids from treatment tanks once every 3 years or whenever an inspection program reveals that the treatment tanks are filled with solids in excess of 1/3 of the liquid depth of the tank or with scum in excess of 1/3 of the liquid depth of the tank.

- (ii) Maintenance of surface contouring and other measures, consistent with Chapter 73 (relating to standards for onlot sewage treatment facilities) to divert stormwater away from the treatment facilities and absorption areas and protection of the absorption areas from physical damage.
- (iii) Requirements for the use of water conservation devices to reduce hydraulic loading to the sewage system.
- (iv) Requirements for the operation and maintenance of electrical, mechanical and chemical components of the sewage facilities; collection and conveyance piping, pressure lines and manholes; alarm and flow recorder devices; pumps; disinfection equipment and related safety items.

Looking at the points individually ...

(b) DEP contends that ALL on-lot systems require proper operations and maintenance. Therefore, O&M will be required of all on-lot systems. This includes those not in the valley.

(i) Most municipalities opt to require the pumping of septic tanks every 3 years because that is the easiest to administer. However, a municipality may opt to have the tanks checked with a product known as a "Sludge Judge" (or competing product) to determine if the tank is 1/3 full. Currently, it cost about \$300.00 to pump a septic tank. Dipping a tank with a Sludge Judge (without any other service) goes for about \$100.00. Therefore, dipping the tank once a year for 3 years costs about the same as pumping the tank.

(ii) & (iv) DEP is now pushing municipalities to have the O&M provider determine if the surface contouring is acceptable, check the wiring, the pumps, tank integrity and even the quality of the absorption area. If WF adopts such a program, expect the inspection to cost in excess of \$500.00 every three years.

(iii) Water conservation devices are presently required by law so this is a non-issue.

WF has many systems that will require a much greater expense due at the first inspection. Currently houses in the township employ cesspools, seepage pits, pre-regulatory seepage beds/trenches, pre-1983 permitted systems and modern systems. Many of the systems constructed prior to 1983 utilize steel septic tanks.

STEEL TANKS: No steel tank will pass inspection. The best steel tanks barely last 10 years before corrosion creates holes etc. No steel tank has been put in WF since 1984. A new septic tank will cost a minimum of \$1000.00 plus installation costs. (And, landscaping disturbance.) \$3000.00 seems to be a commonly charged price to replace a steel tank and dispose of the old tank.

CESSPOOLS: Some cesspools may be acceptable, but many were built in such a manner as to prohibit opening. When opened they collapse which will result in the property owner having to replace them with a regulatory compliant

system. (\$5000.00 and up + landscaping disturbance). In addition, many cesspools may be clogged well past the 1/3 point, but still function for another 30 years.

SEEPAGE PITS: Generally, cesspools with treatment tanks preceding them. (See above.)

As risers are not required on septic tanks, many property owners will incur the costs of locating and excavating the septic tank manholes.

Because homeowners often do not pump their septic tank frequently enough, I encourage (and many builders automatically install) oversized septic tanks. Under normal usage, they would not need to be pumped every three years. There are also part-time residents whose tanks would not need to be pumped as frequently. However, a three-year pumping program would still apply to them.

The municipality will need to increase its administrative staff to send out notices, track compliance, and compel compliance of those who don't pump. (This is not the SEO's job.) This will need to be accounted for in the municipal budget.

In summary, while the pumping of septic tanks is necessary to the proper operation of a septic system, a mandatory pumping program will result in many property owners experiencing a large financial burden and the possibility of a large financial expenditure (and political ramifications) for the township.

SECTIONS 3.1 EXISTING MUNICIPAL WASTEWATER SYSTEMS

Nothing stands out as being incorrect in sections 3.1 except ...

Section 3.1.3 "The original collection system was constructed in the 1960's ...". I believe that it was the 1990s. If it was the 1960's then it should be changed to 1960s as the year is not possessive. (My 8th grade English teach would be happy to know that I learned at least one thing.)

SECTION 3.2 EXISTING PACKAGE WASTEWATER TREATMENT FACILITIES

No comment.

SECTION 3.3 EXISTING INDIVIDUAL ON-LOT SYSTEMS

The author classifies the existing systems as "In-ground", Elevated Sandmound", "Holding Tanks", and "Aerobic Treatment Tanks". Two of these are (very) general classifications of absorption areas. Aerobic tanks are a system component. It could be used in conjunction with in-ground or elevated systems. A Holding Tank is a subgroup of Retaining Tanks. There are some systems that do not fit into any of these classifications, for example, At-Grade, I.R.S.I.S., Small Flow Treatment Facilities, etc. I would suggest that the systems be classified as: In-Ground, Above-Ground, Retaining Tanks, and Other.

Under types of systems found in this area, Aerobic Treatment Tanks should be eliminated (they are just components) and if we are strictly speaking about Westfall, then holding tanks should be eliminated.

SECTION 3.3 A PUBLIC HEALTH NEEDS

While the author may have evaluated the area based on DEP's SDNIG document, I question the legitimacy of the document. DEP has a large staff of highly educated employees who have never been out in the field. As such, many of their methodologies are not practical. Case in point: According to the soils maps, Milford Landing could have been built utilizing individual inground systems. The soil was so poor that they had to extend the sewer lines to enable the project. Yet, despite the inherent inaccuracies, DEP puts great faith in the soil maps.

SECTION 3.3.2 A 2 SUSPECTED MALFUNCTIONS

"... piped discharges from a dwelling without direct evidence of sewage ..." Did the author consider that these pipes may be perfectly legal sump pump discharges? And, under the current building code, these discharges will often be made from tanks that look similar to septic system dosing tanks.

SECTION 3.3.2 A 5,6,7, and 8

There are no Wildcat Sewers, Boreholes, or Holding Tanks in Westfall Township. Legitimate public complaints are investigated and if a malfunction is found, it is repaired.

SECTION 3.3.2 B SANITARY SEWAGE SURVEY

I would like to see the actual results of the survey. I think it would be important for the township to know how many malfunctions, suspected malfunctions, and potential malfunctions the author has determined that there are in the township. It would also be good to know the general area of each type (not specific addresses) in case there are clusters in the township.

SECTION 3.3.2 WELL WATER SURVEY

Are there no water wells in the area along the 3-lane in Westfall and Milford Townships?

NOT IN PLAN

The author does not address floodplain and floodway in section 3 of the plan. These are of concern when properly siting new sewage disposal systems and should be of concern regarding the potential of existing systems to malfunction.

END OF REPORT

Westfall Township

Response to Westfall Township Planning Commission Comments

November 9, 2020

We have reviewed Westfall Township Planning Commission's Comment Letter from 9/23/2020, regarding the Eastern Pike County Regional Act 537 Plan project. Our responses are indicated below in **bold type**.

The following are responses to comments from Kiley Associates, LLC

1. The summary on page 1 indicates that Milford not included in the 537 expansion. Please clarify that Milford Township will not have any connection to the new sewer system

Milford Township has selected the No Action Alternative. Any connections in Milford Township would be done through a Planning Module.

2. Why is Westfall Township not instituting a mandatory connection ordinance.

The Plan has been revised to reflect that Westfall Township does have a mandatory connection ordinance for commercial improved sites. Therefore, funding of the Westfall Township extension is through a combination of Westfall Authority reserve funds, tapping fee revenue, and USDA financing as outlined in Chapter 8.

3. Is Westfall Township going to update their 537 Plan with or without the other municipalities

This Act 537 Plan will serve as the next update for Westfall Township and will be the Act 537 Plan for the other municipalities.

4. Table 1-1: The municipalities should be listed in this table

Table 1-1 already includes sewage planning modules from all four municipalities.

5. 3.2: What was the date that the DVSD was told to upgrade or connect to the MATW System

DVSD received updated permit limits in 2019. For DVSD to meet the updated permit limits, significant capital improvements would have been necessary at their wastewater treatment plant (WWTP). DVSD completed an assessment to determine the most advantageous path for the district and decided to connect to the sewer system and decommission their WWTP. The Authority received an approximate \$300,000 grant to construct a regional pump station at the WWTP site to facilitate DVSD's connection to the system.

6. 5.3: The sewage reserve for the Katz development should be included.

Since the Katz Development is outside the study area, it was not totaled in the figures. However, the Plan is revised to discuss the Katz Development reservation.

7. 5.4.2: Please clarify that individual laundry usage may be limited to one load per day or discontinued altogether for all individual single family dwellings. If this is the case, please explain the mechanism to restrict laundry flows.

This was only a possible water conservation method. It is not required and has been removed.

8. Cost Opinion Tables: The opinion of probable costs provided be projected out ten (10) years to match the timetable in Chapter 8, Table 8-2

Acknowledged. The implementation schedule is an estimate and of the ten years, five years are for planning, design, and permit stages. The cost opinions in Chapter 5 reflect the cost of the project in 2020 dollars. The extended timeline is considered in Tables 5-25 and 5-26.

9. 5.11: Please clarify that Milford Township has not expressed an interest in joining sewer extension along Rt. 6/209.

Milford Township has chosen the no action alternative in the Act 537 Plan. Any connections would be done an individual basis through a Planning Module.

Comments from SEO (Chris Wood):

1. The SEO's general comments and concerns about the OLDS sewage ordinance.

The Plan language on the OLDS Ordinance adoption for Westfall Township has been changed to reflect the 5-year monitoring period. Instead of an OLDS Management Ordinance being proposed to be adopted in the next 3 to 4 years, the Plan now outlines: "Westfall Township shall implement enhanced monitoring to determine the need for additional ordinance requirements. Westfall Township will begin a 5-year monitoring plan of existing OLDS, and upon completion of the monitoring period, Westfall Township will implement an OLDS management ordinance if it is deemed necessary."

2. Section 3.1.3 "The original collection system was constructed in the 1930's.. " I believe it was the the 1990s. If it was the 1960's then it should be changed to 1960s as the year is not possessive.

The Plan has been updated to reflect the correct dates.

3. The author classifies the existing systems as "In-ground", "Elevated Sand mound," "Holding Tanks", and "Aerobic Treatment Tanks:. Two of these are very general classifications of absorption areas. Aerobic tanks are a system component. It could be used in conjunction with in-ground or elevated systems. A Holding Tank is a subgroup of Retaining Tanks. There are some systems that do into any of these categories, for example, At-Grade, I.R.S.I.S., Small Flow Treatment Facilities, etc. I would suggest that the systems be classified as follows: In-Ground Above-Ground, Retaining Tanks, and Other. Under types of systems found in this area, Aerobic Treatment Tanks should be eliminated (they are just components) and if we are strictly speaking about Westfall, then holding tanks should be eliminated.

The Plan has been updated to re-classify the types of systems as described above. The Plan and chapter contained within refer to all municipalities, and there are holding tanks in some of the regional municipalities.

4. Section 3.3A Public Health needs: While the author may have evaluated the area based on DEP's SDNIG document, I question the legitimacy of the document. DEP has a large staff of highly educated employees who have been out in the field. As such, many of their methodologies are not practical. Case in point: According to the soil maps, Milford Landing could have been built utilizing individual inground systems. The soil was so poor that they had to extend the sewer lines to enable the project. Yet, despite the inherent inaccuracies, DEP puts great faith in the soil maps.

The Plan follows DEP guidelines as required. The Plan ultimately needs to be approved by the PA DEP.

5. Section 3.3.2. A2 Suspected Malfunctions: "... piped discharges from a dwelling without direct evidence of sewage ..." Did the author consider that these pipes be perfectly legal sump pump discharges. And, under the current building code, these discharges will often be made from tanks that look similar to septic system dosing tanks.

The classification used is the exact definition of a Suspected Malfunction from the Act 537 Sewage Disposal Needs Identification Guide.

6. Section 3.3.2 A 5,6,7, and 8. There are no Wildcat Sewers, Boreholes, or Holding Tanks in Westfall Township. Legitimate public complaints are investigated and if a malfunction is found, it is repaired.

The language used in these sections is also from the DEP Act 537 Sewage Disposal Needs Identification Guide. The language is not implying that there are these issues in Westfall Township. This section outlines the process used to identify needs areas based on DEP literature.

7. 3.3.2 B Sanitary Sewage Survey: I would like to see the actual results of the survey. I think it would be important for the township to know how many malfunctions, and potential malfunctions the author has determined that there are in the township. It would also be good to know the general area of each type (not specific addresses) in case there are clusters in the township.

The results of the survey are already included in the Plan. The summary breakdown by municipality is on Page 3.10 in Table 3-3. In addition, the OLDS survey result map had already been shared with the Township prior to the release of the draft. The survey map as well as the survey results are located in Appendix F and Appendix G, respectively.

8. Section 3.3.2 Well Water Survey. Are there no water wells in the area along the 3-Lane in Westfall and Milford Township.

In the areas directly off the Route 6/209 ("3-Lane") based off both Water Authority Service Area maps, there were no Alternative Exhibits that involved connections with Water Wells to our knowledge.

9. The author does not address floodplain and floodway in section 3 of the plan. These are of concern when properly siting new sewage disposal systems and should be of concern regarding the potential of existing systems to malfunction.

Flood plains are discussed in Chapter 2, and a map of the floodplains is located in Appendix C.



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August 19, 2020

Mr. Mark Spatz, HRG

Via email

Re: Eastern Pike Regional Act 537 Plan - Dated 06/2020 – Pike County Planning Comments

Dear Mr. Spatz,

After review of the plan, we offer the following comments:

- Pg. 1-1 - The date that the Task/Activity Report was approved by DEP needs to be shown on page 1-1;
- §1.2.2.3 & 4 - Milford Borough and Milford Township have joint comprehensive plan that was adopted in 2006;
- §1.2.3 – Table 1-1 - the new Senior Home/Apartment development near Home Depot needs to be added to the list (Tax lot 99.07-01-02 Pike Health Properties, LLC) and flows or any additional data should be added to the plan;
- 3.1.3 & 3.3.2 – Both sections have a Table 3.2;
- §3.1.4.B projects the average flow for 2024 is 0.1283 MGD. It also projects an average for the peak flows over three months in 2024 is 0 MGD. This needs to be corrected or clarified;
- §3.3.2 states that there are no properties within the planning area serviced by private wells. Please verify;
- §4.1.2 & 3 – please update this section with Milford Borough/Milford Township Comprehensive Plan information;
- §4.4 & Table 4.11 - : Population History and Projections are unfounded/outdated. Please seek an alternate source. The population of Pike County in 2010 was 57,369;
- §4.5 Table 4.12 – Please clarify the Future Connection EDU's column;
- §5.2 – Edit Price Chopper spelling;
- §5.2.1 – Edit last sentence delete "Far";
- §5.8 – Edit by deleting "A" at the end of the 2nd sentence; soften "will be" in 3rd sentence; add "area" in 4th sentence;
- §5.9 – Please clarify Milford Twp status/intent and future development ability to access the sewage infrastructure;
- §5.11 – Consider inserting a generalized map on pg 5-12;
- §5.11 – There are two §5.11 found on pages 5-12 and 5-41
- §5.11.2 (pg5-42) – Consider the use of "should" instead of "shall";
- §6.1.1 – Edit to denote the Milford Borough/Milford Township Joint Comprehensive Plan;
- §7.1.1-3 – Information needs to be added;
- Appendix A §1.1.1.1.b. – 3rd sentence is incomplete;
- Appendix A §1.1.1.1.c.i. – Edit "replayed" with "replaced";
- Appendix A §1.1.8 – Verify the lack of private wells in the study area;
- Appendix A §1.1.9 – Table 3-3 does not exist as referenced;
- If alternative 6F is implemented and a transmission line is run from the Westfall Township line through Milford Township to Milford Borough, will properties along the line in Milford Township be able to connect to the sewage system?

Sincerely,

Michael Mrozinski, Director

email: Mark Spatz, HRG

Westfall Township, Milford Borough, Matamoras Borough, and Milford Township

Response to Pike County Planning Commission Comments

August 31, 2020

We have reviewed the Pike County Planning Commission's Comment Letter from 8/19/2020, regarding the Eastern Pike County Regional Act 537 Plan project. Our responses are indicated below.

1. When the Task/Activity Report is approved by the DEP, the date will be updated on the Plan.
2. The 2006 Milford Borough and Milford Township Joint Comprehensive Plan was received after the initial version of the draft was sent out. The Plan has been updated since to include it as of August 2020.
3. The new Senior Home/ Apartment Development is not a part of the planned sewer route.
4. The tables have been renumbered.
5. The average peak flows over three months have been corrected to 0.1283 MGD.
6. Based on information received, there appear to be no private wells that would connect to the sewer system.
7. Sections have been updated to include the 2006 Milford Borough/ Milford Township Comprehensive Plan.
8. The Population History and Projections have been updated using the most recent census data.
9. Future Connection EDU's are potential future sewer connections along the proposed sewer route but will not be required to connect.
10. Spelling has been fixed.
11. Far should not be removed. Far future connections are the projected beyond the 10-year planning window and are not part of the planned sewer route. Future connections are potential connections located along the proposed sewer route but are not required to connect.
12. Section has been revised. An OLDS evaluation study will occur in order to determine the need for an OLDS Management Ordinance.
13. Milford Township has indicated that they do not intend on connecting to the system. Details will be finalized in the Inter-Municipal Agreement, but the connections would be done on an individual basis through Planning Modules.
14. Acknowledged. A reference to the Planning Area Map in Appendix C was added.
15. The sections have been re-numbered appropriately.
16. Acknowledged. This was considered, but the Municipalities are now implementing an OLDS Monitoring Study rather than an Ordinance.
17. The Milford Borough/ Milford Township Plan was denoted.
18. Information has been included in the Plan.
19. 3rd sentence was completed.
20. Edit was made.
21. See response #6
22. Table reference was changed to Table 1-7.
23. The ability for properties to connect would be done through Planning Modules on an individual basis.