

Milford Township

From: Rachel Hendricks [ravfhendricks@gmail.com]
Sent: Tuesday, February 16, 2021 4:27 PM
To: Gary Williams; Contact; penney luhrs; Milford Township
Subject: proposed revisions to PC response
Attachments: 2021.02.16-Milford Township PC Response prop rev.doc

Based on Mr. Spatz's responses, I suggest the following amendments to his revised draft response to the Planning Commission comments, for consideration. The track changes is on so you should be able to see the modifications I made. If you cannot automatically, go to Review, and select All Markup.

Thank you.

Best Regards, Rachel Hendricks

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Rachel Hendricks
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Milford Township

Response to Planning Commission Comments

January 12, 2021

Last Rev. February ~~14~~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. In either case, a power company notification is not warranted and therefore has not been issued. 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