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Act537PADEP-reply

May 28, 2014

Kelly Boettlin
Pennsylvania Department of Environmental Protection
Southeast Regional Office
2 E Main Street
Norristown, PA 19401-4915

RE: **Revisions to the Act 537 Plan Update
Lower Frederick Township, Montgomery County**

Dear Ms. Boettlin,

Thank you for the department review of Lower Frederick Township's Act 537 of 2013 dated February 11, 2014. Each of the comments in that letter have been addressed as detailed below, and three copies of the plan are provided for your review and records. For your convenience, prints of each revised page in the body of the plan are also provided with the changes highlighted.

1. The titles of Exhibits 11 and 14 state that the information shown is for the "2011 Act 537 Plan." Please update these exhibits to ensure that the information shown is for the current 2013 Act 537 Plan.

The titles of Exhibits 11 and 14 have been corrected to reference year 2013.

2. A completed PNDI search will need to be redone for each selected alternative using the proper search parameters.

If the new PNDI Project Environmental Review Receipts indicate that there are potential impacts ... documentation from the affected agencies indicating that potential conflicts with species or resources under their purview have been resolved must be submitted along with the completed PNDI receipts.

The PNDI searches were repeated for the selected alternatives, and additional documentation sent to PDCNR. A field survey was performed, and the DCNR Bureau of Forestry returned a No Impact finding. The updated PNDI receipts are enclosed, in addition to the Correspondence from DCNR.

3. Pages 3 and 4 of the Act 537 Plan included comments from the LFTPC first review. It is unclear if LFTPC performed any subsequent reviews, as no additional comments were provided from LFTPC. Please provide any written review comments from LFTPC. If no formal written comments were provided from LFTPC, then please provide copies of their meeting minutes during which the Act 537 Plan was being discussed.

A copy of the Lower Frederick Township Planning Commission Meeting Minutes from May of 2013 is enclosed for inclusion on Appendix H. The narrative has been amended to note the first review comments were from March of 2010, and the Commission recommended plan adoption in May 2013.

4. Please revise your implementation schedule to include a milestone for the permitting of the municipal pump station and force main or Perkiomen Interceptor that is proposed to connect the collection system expansion to serve existing lots north of Spring Mount. In addition, we note that your implementation schedule is based upon specific dates. We recommend that in order to make your implementation schedule more flexible that you amend your implementation schedule to be time dependent on prior milestones.

The implementation schedule has been modified on pages 3, 9 and 55

5. The following comments pertain to the proposed Low Pressure System/Grinder Pump Ordinance in Appendix D:
 - a. Section 123-79 we recommend adding “or an exemption from sewage facilities planning have been” to the last sentence in the section after “Act 537 Plan.” We also recommend adding “A connection may also occur if DEP has determined that sewage facilities planning is not required for the connection.”
 - b. Section 123-83(3) we recommend removing this paragraph altogether. Common facilities are addressed in the sewage facilities planning module process. Shared facilities may not be an acceptable solution.

Appendix D has been revised as recommended.

6. It appears that portions of the proposed sewer service area, as shown on the Existing and Proposed Sewer Service Area for the 2013 Act 537 Plan, extends into portions of the Township that are zoned R-1. According to page 22 of the Act 537 Plan, in the R-1 and R-2 Districts, any lot less than one acre in size shall be served by centralized or public sewer, Page 12 of the Act 537 Plan states that the maximum allowable density in the R-1 zoning district is one home per two acres. Please clarify this discrepancy. Do cluster developments or neighborhood lots exist in the area where public sewer is being extended?

In answer to the question, yes, neighborhood lotting or cluster developments are permitted on tracts of 10 acres or more by conditional use in the R-1 and R-2 zoning districts. These development types have been proposed on two tracts within the proposed sewer service area: the Greenway proposal and the Melbourne Hill proposal. In these developments, the individual lot sizes may be less than an acre, but the overall density of tract development should be no more than one dwelling unit per acre. The second reason for lots less than 2 acres in the R-1 district is change in zoning. In 2000, a large number of R-2 properties were re-zoned to R-1.

It appears that the extension of public sewer into the R-1 District was done to address failing or suspected failing systems. In the case of lots north of Spring Mount, it appears that the extension of public sewers into the R-1 District is proposed to address suspect systems and because the majority of lots were small lots on poor soils. However, please clarify if the properties in the R-1 District that are proposed to be served by public sewers will be permitted to subdivide into smaller lots under current zoning. If so, will the proposed facilities be able to adequately convey and treat any possible increase in flow from these properties?

In general, the properties in the proposed sewage service area north of Spring Mount cannot be further subdivided under current zoning, with two possible exceptions. A 15-acre parcel with frontage on Bavington may have potential for subdivision to create up to 4 new homes. Another 15 acre parcel at 252 Fulmer appears to have capacity for up to 6 new homes. All other parcels are either under 4 acres in size or encumbered by features that would prevent further development. Page 33 has been revised to indicate 110 potential property connections, and the graphic has been updated. A similar update has been performed for the graphic on page 34. The table of projected flows on page 37 has also been updated to add 10 more EDU's to the 20 year projections.

7. Figure 5 shows the proposed Goshenhoppen Interceptor and includes numbers representing the equivalent dwelling units (EDU's) that the proposed Interceptor could serve. However, it is unclear why some of the lots north of Schwenk Road were not included in the proposed extension of the sewer service area. Please clarify.
Briefly discussed on page 27, the lots on the north side of Schwenk Road were not included in the plan because the homes are set back 150 feet or more from the road, and cannot be required to connect. The lots are just over 2 acres in size, so they cannot be further subdivided under the R-1 zoning.
8. Figure 7 shows a proposed pump station and interceptor along the Scioto Creek and possible EDUs that could be served by these proposed facilities. However, Figure 6 shows a proposed pump station along Big Road and Figure 8 shows a proposed pump station along Simmons Road with no associated flows. Since all three figures show a conceptual infrastructure alternative for serving the Scioto Creek Watershed area, it is unclear why possible EDU's were only tabulated for the Figure 7 alternative. It appears that projected capacity may differ depending on which infrastructure option would be chosen. We understand that an infrastructure alternative is not being chosen in this Act 537 Plan and is only being shown conceptually for projecting flows for the treatment plant expansion. However, was the capacity projected for the Scioto Creek Watershed based on the maximum flow area? Figure 6 appears to show a larger area than Figure 7. Since it appears that the flow projections for the Scioto Creek Watershed are based on Figure 7, does the township feel that they have adequately projected enough capacity for this area? Would the projected flow be adequate to serve the larger area shown in Figure 6?
There is a potential to connect about 10 more existing lots if the pump station were to be installed on Big Road, so I have increased the number of potential connections in the Scioto Watershed from 370 to 380 in the table on page 36 and the computations on page 37. Figure 6 on page 30 has been updated to include potential development estimates.
9. The following comments and concerns pertain to the Existing and Proposed Sewer Service Area Map for the 2013 Act 537 Plan.
 - a. Please clarify why the southern portion of the development along Goshen Road is not served by public sewers.
Thank you for citing this oversight in map shading. The parcels along Goshen Road have been shaded to properly indicate that they are currently served by public sewer.
 - b. The Act 537 Plan identified additional areas in the Township, such as in the Scioto Creek Watershed area and the Goshenhoppen Creek Watershed area, in which the extension of public sewers were conceived. These areas were utilized in the flow projections for the expansion of the treatment facility. Since these areas were identified as possible public sewer areas, they should be identified on the Township's sewer service map. Please amend the sewer service map to include those areas with its own identifying shading color. This area should be clearly identified as a potential future sewer service area that is subject to additional sewage facilities planning.
The map has been amended to depict Potential Future Sewer Service Areas subject to additional sewage facilities planning.

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Page 10 of the Act 537 Plan notes that there have been three revisions to the Act 537 Plan since the original plan was adopted. Please note that DEP records indicate that there have been over 25 planning modules approved for the Township. Planning modules are considered revisions to a municipality's official Act 537 Plan.

This paragraph of the plan has been rewritten to provide a more accurate statement and reflect on the SFTF and IRSIS sites that have been approved in the community.

Thank you for a thoughtful and thorough review. The resulting revisions strengthen this plan for Lower Frederick Township. Please contact me should you require any further documentation to approve the Lower Frederick Township Act 537 Plan.

Sincerely,
Urwiler & Walter, Inc., by



Carol Schuehler, P.E.
Municipal Engineer



Enc.

cc: Tamara Twardowski, Manager, Lower Frederick Township