

Felix, Anna Marie

From: [REDACTED]
Sent: Wednesday, March 27, 2013 6:49 PM.
To: [REDACTED]
Cc: Havir, Bryan; Simon, Morton; Fleming, Michael
Subject: Fwd: Act 537 Comment / Question - 7859 Mill Road

Hello. I wanted to share the following email with you.

I have not received a response, even though I specifically requested confirmation of receipt of my note.

Regards,

Bob Sharp

From: [REDACTED]
To: bhavir@cheltenham-township.org
Cc: "Michael Fleming" <mifleming@cheltenham-township.org>, "Mickey Simon" <msimon@cheltenham-township.org>, "Jennifer Fields" <jefields@pa.gov>
Sent: Saturday, March 23, 2013 7:16 AM
Subject: Act 537 Comment / Question - 7859 Mill Road

Mr. Havir - due to my very large amount of business travel, I have been unable to attend recent public meetings related to this issue.

However, my wife and I remain extremely interested in the ongoing efforts to rehabilitate the township system.

Specifically, interceptor A makes 2-90 degree turns on our property.

During a public meeting on November 30, 2011 at which Ms. Fields from the DEP made a presentation, I specifically asked Mr. Lynch and Mr. Kraynik if these 90 degree turns would be eliminated as part of the system rehabilitation.

They both responded in the positive.

More recently, the township installed a grinder pump system on our property to help alleviate the repeated system surcharging into our lateral line. Although it's only been about 8 months since that system was installed, I am able to say that we have not had a single surcharging incident. However, we have also not had the type of snow melt / heavy rain storm / high groundwater table conditions that in the past created both temporary and long term surcharging incidents.

The act 537 information on the township website includes the following item:

Phase 2B - Replacement of Interceptor A (Jenkintown Road and High School Road [A78 to A47]): This section can be rehabilitated via a traditional replacement method. Since a large portion of this section of the interceptor shows considerable signs of hydraulic overload under current and future flow conditions, replacement with a larger diameter pipe is recommended. *Construction Cost Opinion: \$3,369,000.*

We would like to know specifically:

- > when might this replacement take place? The info presented at that public meeting indicated 2014.
- > how will the grinder pump system impact the removal of the 90 degree turns on our property?

I realize it may be premature at this time to receive a detailed response, but I'd at least like this note to become part of the public comments related to the system project.

3/28/2013

Please confirm receipt of this note and that it will be part of the public comments.

Thank you.

~~Robert Denner Sharp~~
7859 Mill Road
Elkins Park, PA 19027
~~_____~~

Cheeseman, Liz

From: .Havir, Bryan <BHavir@cheltenham-township.org>
Sent: Wednesday, March 13, 2013 6:31 PM
To: Bohner, Bill; Cheeseman, Liz; Postick, Michael
Cc: Montgomery, Amy; Fleming, Michael
Subject: FW: Act 537 questions/comments, please
Attachments: Act 537 public comments.doc

Everyone: FYI –

This is the first set of written questions/comments I received concerning the draft Act 537 plan. Once the comment period is closed, I'd suggest we meet as a group to review all the comments and determine how to proceed with addressing them.

Thanks.

Bryan T. Havir, P.P., AICP
Township Manager
Cheltenham Township
8230 Old York Road
Elkins Park, Pennsylvania 19027-1589
215-887-6200, ext. 112
215-887-1561 fax
bhavir@cheltenham-township.org
www.cheltenhamtownship.org

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From: [REDACTED]
Sent: Wednesday, March 13, 2013 12:55 PM
To: Havir, Bryan
Subject: Act 537 questions/comments, please

Hi Brian.

Thanks very much for addressing my attached *public comments* - really questions - on the Act 537 Sewage Plan. I look forward to hearing back from you.

Best wishes,
Ann

[REDACTED]

3/6/13

To: Brian Havir, Cheltenham Township Manager
From: Ann L. Rappoport, Ph.D.
114 E. Waverly Road, Wyncote, 19095
Re: Public Comments on Act 537 Sewage Facilities Plan

I have some questions about the Act 537 Sewage Plan, which I'd like to be included in the records of public comments and for which I'd also appreciate responses, please.

1. The Plan recommends construction and remedies geared for a future flow of 29 cfs instead of an alternative of 36 cfs. Although I understand that the choice is a less costly option and that it supposedly accounts for improvements in the I/I situation, I missed finding evidence that 29 cfs is fully adequate to incorporate potential growth, both in Cheltenham and in feeder communities. (The chart on page 28 doesn't really clarify this.) I'd like more detailed explanation of how 29 cfs accommodates future effluent from currently vacant as well as undeveloped properties in Cheltenham (and also in contributing regions). Furthermore, what downsides beyond cost would be associated with providing the more generous and flexible capacity?
2. The Plan recommends construction of a pump station and routing of a force at Rices Mill Road to near South Avenue. Yet explanations were vague about certain aspects of this portion of the plan.
 - (a) What exactly about this site differs from other sites along Interceptor A that makes this the only place where replacement of the Interceptor is not chosen?
 - (b) Cost estimates for this approach exceed all others except one with which it is approximately the same. What cost estimates would accompany a different approach? (Such as replacing the Interceptor?)
 - (c) I couldn't find any information describing the sort of structure to expect for a recommended pumping station. Although, of course, details would come at a future point, it would be useful to understand the parameters and expectations of such an alternative. Are there current examples to provide?
 - (d) Disadvantages of various alternatives are provided in the Plan. However, I missed seeing the disadvantages spelled out about pumping stations. What are they?
 - (e) Could you please explain the advantages of using a force main to bypass the lined section of Interceptor, over the approaches used in all the other Phases of the Plan?
 - (f) The Plan is quite vague about where down the line the pumped sewage re-enters the primary Interceptor. Please clarify where - or at least the expected parameters of where and how and why - the force main "reintroduce[s] it further downstream in the Interceptor."

(g) Are there sites in, for example Abington, before the sewage enters Cheltenham interceptors, that may be suited for pump stations which might have positive impact on reducing flow within Cheltenham's systems?

3. Please clarify who pays to replace laterals that are determined to need replacement.
4. Assuming Cheltenham enacts/implements stringent ordinances about roof drains, FOG, laterals, etc., are there any inter-municipal agreements that feeder municipalities are doing the same with their residential and commercial properties? This seems to be an example of where regional planning might work best, both in terms of storm/water quality/sewage management and in terms of competitive dis/advantage. Is this addressed in the Plans of these other municipalities or in some regional plan?

Although additional questions may arise, this is it for now. Thank you very much for officially receiving these and for getting back to me with responses.

Best wishes,
Ann

Felix, Anna Marie

From: [REDACTED]
Sent: Tuesday, March 19, 2013 11:43 AM
To: Felix, Anna Marie
Subject: Re: Ralph Morgan Park | TTF Watershed

Thanks very much, Anna Marie!

Also, is there a schedule of maintenance or work specifically about Perley Bird Sanctuary?
Furthermore, I forgot to ask this in my public comment/questions on Act 537, and would like to add this:

- Are there any particular issues abpit/impact for the Perley Bird Sanctuary area and its creek in terms of flood water management and Act 537 plans? (I had asked about the pump, but there weren't enough details to understand the impact on this part of the creek).

I really appreciate your help!
Warmest wishes,
Ann

From: "Anna Marie Felix" <AFelix@cheltenham-township.org>
To: [REDACTED]
Sent: Tuesday, March 19, 2013 11:04:42 AM
Subject: Ralph Morgan Park | TTF Watershed

Barbara Duffy is the contact.

<http://tffwatershed.org/ralph-morgan-park/>

Cheeseman, Liz

From: Bohner, Bill
Sent: Tuesday, March 26, 2013 3:59 PM
To: Cheeseman, Liz; Clay, Stephanie
Subject: FW: Cheltenham Township Draft Act 537- Comments
Attachments: SRA Comments_20130326152929.pdf; HOLLINGER COMMENTS_20130326153005.pdf; RAPPOPORT COMMENTS_20130326153126.pdf

Hi Liz and Stephanie,

Fyi.... Please see the exchange below and the attachments.

Thanks,

Bill

From: McDevitt, Kathryn [mailto:kmcdevitt@cheltenham-township.org]
Sent: Tuesday, March 26, 2013 3:57 PM
To: Bohner, Bill
Subject: FW: Cheltenham Township Draft Act 537- Comments

From: McDevitt, Kathryn
Sent: Tuesday, March 26, 2013 3:44 PM
To: [redacted]; Montgomery, Amy; [redacted]
Cc: Havar, Bryan
Subject: Cheltenham Township Draft Act 537- Comments

Attached are three more written comments received for the draft Act 537 Plan. This is for our conference call on Tuesday, April 2, 2013 at 10:00 a.m.

Thanks,

Bryan T. Havar, P.P., AICP
Township Manager
Cheltenham Township
8230 Old York Road
Elkins Park, Pennsylvania 19027-1589
215-887-6200, ext. 112
215-887-1561 fax
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RECEIVED
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MAR 22 2008
CHELTONHAM TOWNSHIP

Cheltenham Township
Attn: Bryan T. Havir, Township Manager
8230 Old York Road
Elkins Park, PA 19027

Dear Mr. Havir:

I am writing to provide input regarding Cheltenham Township's Draft Act 537 Report and Recommendations. Specifically, I am writing to urge Cheltenham to avoid the implementation of recommendations in the report that would require township inspections, and potential repairs, as a condition of real estate sales.

While we understand the need for inspecting roof drains to ensure that they are not illegally connected to the sanitary sewer system, we are concerned that a point-of-sale inspection program will complicate real estate transactions at a time when the market continues to struggle. In addition, the potential "return" on this type of point-of-sale inspection is extremely low, because such a small percentage of homes are sold each year in the township. Based on the number of home sales in Cheltenham over the past five years (TREND MLS), it would take more than 50 years to complete an inspection of all roof drains in the township.

Finally, we feel strongly that the specific recommendation found on the bottom of p. 44 of the ACT 537 report draft, proposing that roof drain corrections be required "prior to completion of sale," would violate the PA Municipal Code and Ordinance Compliance Act (MCOCA). MCOCA states that certificates of use and occupancy can only be denied by a municipality when a *substantial violation* of code renders the property unfit for habitation. Specifically, MCOCA states that "a municipality shall not refuse to issue a use and occupancy certificate or similar permit on the basis of a substantial violation or require the correction of a substantial violation as a condition to issuing a use and occupancy certificate or similar permit, *unless the substantial violation renders the property unfit for habitation.*" (P.L. 724-99 Municipal Code and Ordinance Compliance Act, section 3, subsection e)

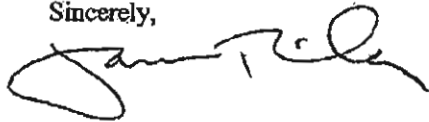
In addition, MCOCA provides that purchasers of real estate have at least 18 months to "bring the building, structure, or that part of the building or structure into compliance with" code.

Rather than point-of-sale inspections, we encourage the township to take a more holistic approach toward these inspections. Perhaps the most ideal time to conduct the inspections would be during regularly-scheduled maintenance, retrofit and repair of other components of the sanitary sewer system in the township. Home owners could then be given a deadline for correcting the violation in line with the repairs being made to the system in the neighborhood. This would be a much more timely and effective way to address the important need to curb illegal sewer connections, and address the problem of inflow and infiltration.

100 Deerfield Lane
Suite 230
Malvern, PA 19355
610-981-9000
fax: 610-981-9061
www.suburbanrealtorsalliance.com

Thank you for considering our organization's concern regarding the draft ACT 537 report. We look forward to working with Cheltenham Township to ensure that any ordinance that impacts real estate provides clear guidelines for property owners, consumers, and the Realtors who live and work in the community.

Sincerely,

A handwritten signature in black ink, appearing to read "Jamie Ridge". The signature is fluid and cursive, with a large initial "J" and "R".

Jamie Ridge
President/CEO

Havir, Bryan

From: Roy Hoffinger [REDACTED]
Sent: Friday, March 22, 2013 9:44 AM
To: Havir, Bryan
Subject: Act 537

Dear Bryan, I was surprised that our township is going to require our residents when they are ready to sell with roof drain inspections. Selling a home is a stressful time for any seller and to add this burden is unnecessary. It is also discriminatory. Why pick on a house that may turn over in one year when the house next store which may never hit the market, hence never be corrected goes on forever? Our local government should systematically go block to block and make these corrections evenly and fairly to all if that is your intention. I plan to attend all meetings and am mobilizing the real estate community and other citizens to oppose act 537 in it's present form. Are there other restrictions and burdens in this bill that we should be made aware of? I would like to hear the reasoning as to why these inspections in their present form were put into place to begin with. Please call 215 663 0200. Thanks Roy

3/26/2013

Cheeseman, Liz

From: McDevitt, Kathryn <kmcdevitt@cheltenham-township.org>
Sent: Monday, April 01, 2013 2:26 PM
To: Böhner, Bill
Cc: michael.postick@cardno.com; Cheeseman, Liz; Montgomery, Amy; Havar, Bryan
Subject: ACT 537 Comments
Attachments: ACT 537 - B.MAISEY_20130401142854.pdf

Attached please another comment on Act 537 draft plan for your review and discussion.

Thank you,

Bryan T. Havar, P.P., AICP
Township Manager
Cheltenham Township
8230 Old York Road
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Havir, Bryan

From: Beverly Milestone Maisey [REDACTED]

Sent: Wednesday, March 27, 2013, 10:38 AM

To: Havir, Bryan

Subject: Comments Act 537

Dear Bryan:

Here are my comments regarding the Act 537 Plan:

1. Why is it that most residents I have spoken with don't know that there is a comment period nor do they know what the Act 537 plan would encompass? Can we put a process in place, even if that means a mailing to each property, that would make everyone aware?

2. Will the township get reports and assess property owners regarding lateral replacements? How is the work to be done? On an individual property basis or will they all be done and a fee assessed each property owner? Can we be given an idea of the cost that will be incurred for each lateral, for example, cost per 1" straight, cost per 1" bend, cost per depth, etc? Who will be paying for these lateral replacements? If it's the property owner, is there any relief to be had?

Regarding future development:

It is my feeling that the developers be charged (or charged back if they build after the plan has been implemented) for the cost of their added flows. Will there be citizen oversight if this is implemented? What happens if the flow is too great for the pipes? Will there be meters on all new developments to assess the flows?

Understanding that there will be flow metering, I would like to make certain that the township will have in place a plan to check the flow meters on a regularly scheduled basis, especially after a weather event or additional development that might impact those flows. Will other measuring devices also be put into place, checked on a scheduled basis, and after weather events and development such as water level height measurements? Will some sort of warning alarm be sounded if flows/water levels rise above a certain level?

I would also recommend that the township put into place a regularly scheduled, preventive maintenance plan for the entire system PRIOR to any new work being done. In this way, and in only this way, can we maintain the efficacy of the system throughout a long life.

Sincerely,
Beverly Milestone Maisey

3/27/2013

Havir, Bryan

From: [REDACTED]
Sent: Wednesday, March 27, 2013 11:53 AM
To: Havir, Bryan
Subject: Questions on Act 537 Plan
Attachments: Force_Main_2013-03-26_Revised.pdf

Dear Township Manager Havir,

I want to first thank you for making the suggestion that sewer fees possibly be restructured to better reflect water use. As you know, I have long encouraged use based fees as a means of encouraging conservation.

I have attached a pdf with a few questions I have about Phase 1A of the Act 537 Plan.

Thank you and keep up your good work,

Thomas K. McHugh
127 Hewett Road
Wyncote

3/28/2013

March 26, 2013

Mr. Bryan T. Havir, Township Manager
The Township of Cheltenham
8230 Old York Road
Elkins Park, PA 19027

RE: Act 537 Sewage Facilities Plan Comments

Dear Mr. Havir,

I have read the Act 537 Sewage Facilities Plan and I respectfully submit these comments and the questions listed below for your consideration. I look forward to your response prior to April 5, 2013 which will allow me to prepare for the April 10, 2013 public meeting where further public comments and questions, and additional official information on the plan may be presented.

It appears that there are economic and long-term system maintenance benefits to revising the plan so that Phase 1A is a replacement and enlargement of Interceptor A, instead of a relining of the existing section plus the construction of a pump house and force main bypass. It is hard to imagine a degree of difficulty in replacing and enlarging Interceptor A in this section that outweighs the savings and simplicity of design of following the existing route of Interceptor A chosen by the original designers 85 years ago. Sewage naturally flows downhill, and force mains should only be employed when absolutely necessary. The plan provides no evidence or convincing reason for an expensive and disruptive force main.

I am concerned about the lack of clarity of purpose and explanation for the recommended Phase 1A – Lining of Interceptor A and Construction of a Pump Station (Rices Mill Road to near South Avenue [Man Holes A155 to A136]). That is a distance of about 3,200 linear feet. The construction cost opinion to reline the existing Interceptor A between those two approximate manhole locations and to construct a new pump house and force main is \$6,501,000. When stated in terms of the cost per linear foot of the existing Interceptor A that will be affected (about 3,200 feet), the cost is about \$2,000 per linear foot. As you know, this construction cost opinion does not include the cost of funding the project.

The construction cost opinion to replace and enlarge the entire length of Interceptor A in Phase 1B (Near South Avenue to Old York Road [Man Holes A136 to A94]) is \$4,740,000. Being a distance of about 8,200 linear feet, that is an average cost of approximately \$578 per linear foot. Once again, the cost to fund the project is not included. If the average cost per linear foot to completely replace and enlarge Interceptor A in Phase 1B is applied to the section of Interceptor A affected in Phase 1A, the savings in simply the construction is about \$4,651,000. Even if the Phase 1A section of Interceptor A is more costly to replace and enlarge than in Phase 1B, millions of dollars

can be saved if Phase 1A is revised to a complete replacement and enlargement of Interceptor A. There will be no need for relining or for a pump house and force main.

My questions are as follows:

1. What is the expected cost to replace and enlarge the approximately 3,200 feet of Interceptor A that is only slated to be relined in Phase 1A of the present plan draft?
2. Was the consulting engineering firm that prepared the plan directed to design a by-pass around the section of Interceptor A in Phase 1A that is located outside Cheltenham Township?
3. Describe in detail any cost and/or operational advantage(s) that will exceed the approximately \$4,651,000 savings resulting from elimination of the by-pass and the replacement and enlargement of this Phase 1A section of Interceptor A.
4. What is it about the location of this section of Interceptor A that would dictate the need for a force main by-pass?
5. Has interest by any person or persons in the possible future sale of the Cheltenham Township sewer system to another entity played any role in the current plans for Phase 1A?

In summary, it is good to avoid a force main with pump house, and rely on simple gravity instead. It is also good to avoid the high cost, disruption to neighbors and long-term additional maintenance of a new constructed force main by-pass.

I look forward to your reply.

Sincerely,

Thomas K. McHugh
127 Hewett Road
Wyncote, PA 19095

Havir, Bryan

From: [REDACTED]
Sent: Wednesday, March 27, 2013 4:43 PM
To: Havir, Bryan
Subject: Sewer plan

Regarding proposed roof and downspout drainage, and lateral examination/replacement, I feel that commercial, religious, governmental (local, county, state, school district), and other non-profits need to both have the same or even greater standards as homeowners, and certainly to contribute to the overall cost of the sewer renewal cost. They use the system, they need to pay into the maintenance of the system.

Chris Blazic
104 Webster Avenue
Wyncote, PA 19095

3/28/2013

Havr, Bryan

From: Myron Goldman [REDACTED]
Sent: Wednesday, March 27, 2013 10:05 AM
To: Havr, Bryan
Cc: Simon, Morton; Hampton, Kathy; Haywood, Arthur; McKeown, Charles; Portner, Harvey; Sharkey, Drew; Norris, Dan
Subject: Act 537

Hi Brian,

I am submitting several questions/concerns relating to the Act 537 Plan.

The damaged sewage system and flooding both are serious problems that require attention and money. However, several items in the Act 537 Plan are troublesome to me as a homeowner.

The Roof Drains:

What are the estimated costs for inspection and disconnection to a homeowner?

What are the implications for the township's sewage system if roof drain inspections do not occur?

How would these inspections impact the time and costs of selling a house?

Why are commercial and institutional properties exempt?

Are the required inspections legal? Is it legal to prevent a sale based on the inspection?

The Lateral Lines:

What are the potential estimated costs for inspection and repair to a homeowner?

What are the implications for the township's sewage system if lateral line inspections do not occur?

How would these inspections impact the time and costs of selling a house?

Why are commercial and institutional properties exempt?

Are the required inspections legal? Is it legal to prevent a sale based on the inspection?

Thank you.

Myron Goldman

8102 High School Rd.

Elkins Park, PA 19027

[REDACTED]

3/28/2013

Havir, Bryan

From: LEL [REDACTED]
Sent: ~~Wednesday, March 27, 2013, 7:32 PM~~
To: Havir, Bryan; Fields, Jenifer
Subject: Act 537 Comments-
Attachments: ACT537CommentsAsSubmitted3-27-13.docx

Please see the attached for my personal comments .

Thank you for your consideration of these .

Lora Draving
[REDACTED]

3/28/2013

Township Manager Bryan T. Havir
8230 Old York Road
Elkins Park PA 19027
bhavir@cheltenham-township.org

Jenifer Fields, Program Manager
DEP Southeast Regional Office
Water Management Program
2 East Main Street
Norristown, PA 19401
484 250-5900 484 250-5970
jefields@pa.gov

SHARING MY PERSONAL COMMENTS ON ACT 537

1) Please explain the nature and scope of this work to all residents and solicit their informed participation and input.

There are but a few who know or understand the scope or implications of the 537 sewer plan even in part, despite the effect that these actions have on both the finances and the well-being of our multiple townships, on house values, on our health and on our quality of life. Our multiple townships have had problems meeting their sewage guidelines over the course of many years now. The cost of (snail) mailing information to every household is miniscule in comparison with the implications of not even knowing what % of the people really have problems and to what extent. No real overview in any township that I know of has been taken/ or shared out. Hence the real depth of the problem is unknown - and we are putting band aids on the next gusher, rather than having a truly comprehensive plan. So I would suggest the plan include full information both to and from each property owner re flooding and sewage issues.

2) Please make a concise video or powerpoint with audio track and accompanying text.

This could explain the overall plan in a "user friendly way" - and be expanded as information became more current. The text would provide an opportunity for those who preferred to skim through or wanted to review a section. (we all learn differently) Hundreds of thousands of dollars - (no, actually millions) have been spent on studies, but the final ability to "summarize" these and put them in a meaningful format to inform residents has been missing. A meaningful information chain is one of the greatest "gifts" you can give a community.

3) TV & Web Please post the Act 537 comments by others on the website

At nearly any conference or gathering I attend, I learn more by the comments and questions of others than I would ever learn if I had unlimited access to the expert(s) alone. And please ask all townships to run the meetings on all sewer issues several times a day for a full week (or longer) with a link to them as well.

4) Please make the plan for laterals (pipes on the homeowners/business property that connect to the street) clear. A definitive plan of inspection (with unbiased or second opinion options) and repair/ replacement guidelines is needed. A "standard" that would carry forward. Despite years of sewage leaks and acknowledgement that the laterals are a huge part of the problem, down "on the street" from conversations with others (somewhat in the "know") it appears that no one has a clear idea of what is being proposed for laterals (or no two people have the same idea) . We know there are many leakages and many old, deteriorating pipes. I believe this should be a required point of the 537 plan and not something that is "open for discussion" and could be waffled about in a political arena. In Appendix H, p22 of the plan there is a list of laterals from the 2010 CAP plan, but that is touted only as a potential sampling. I have read and heard about ordinance proposals - perhaps one just for homes going to sale....? perhaps just in Cheltenham but not in Abington or other

townships.....? It is possible I missed what the latest is, but so have others - but I believe they should be clearly set and not "adjustable" . I believe the policy should require that all homes be on an openly publicized inspection schedule and that the oldest lines be on the earliest list. Requiring this only at the point of sale will not solve the problem that is currently plaguing the township. Who will pay should also be defined and any policy should apply to all property owners (in all Townships) equally - not with benefits for some, while others pay their own full freight. If funds are to be found for the payments, they should benefit all who are being charged with repair/replacement, not just some.

5) Please make sure that residents do not shoulder the burden of the costs of improving the conditions for ALL properties . Although there is information about a roof drain inspection ordinance for (so roof drains do not tie into gutters - and that, by the way, also should be done right away and not at "point of sale) and an ordinance of some type for laterals for residential properties, it is unclear that the same is to be required of institutional, commercial, governmental, school, religious or other non-residential properties. Please be certain that they are held to the standards we all must abide, in order to change the course of events. Substantial numbers of gallons are generated by these properties , and they should not be going into the sewers.

6) Please don't allow EDU's (apprx 262 gals per day=1 EDU) removed to be replaced by new construction (fix what you have first) THIS IS EXTREMELY IMPORTANT - A ROOT CAUSE I BELIEVE . It is more than clear that over many years multiple townships have had difficulty getting the sewers operational as they should be and intervention has been needed. Even with intervention the problems persist . Cheltenham has directives in 1997. Again in 2006 Cheltenham had intervention and a new agreement required by the oversight agencies and that, in 2010 was shown nt to have finished correcting the problem. Other Townships have /or had corrective plans, too. One common denominator has been the disappearance of greenspace and the approval of development far beyond the rights that the landowner bought. Each of these developments has put strains on the system beyond the ability of the system to take it , and the result has been a "tax" on the properties that have flooded or had sewage backing up into their homes. The cry at the time of development is that we need this development to broaden our tax base and bring in more money. But no one is counting the millions upon millions of dollars that are being spent for the infrastructure problems, emergency management, the homes destroyed, the lives interrupted - and yes... in the floods there have even been deaths. The flood problems have now been inextricably mixed with sewer problems. It is time to look at the big picture and to put a clause into this plan that you cannot add EDU's until the sewer system is functioning— properly - and you cannot give one property owner excessive rights when his new "gift" will rob others of the safety and enjoyment of their properties. I believe that there should be a clause in this document that states that when there is a properly functioning system - in every respect meeting the guidelines, before you add new construction. Properties that have been dormant briefly and "bumped off the system" and need to reapply should be connected first because they will be in financial peril. Their needs should outweigh new construction. When the system is functioning and when ample EDU's are shown to have been cleared the already built should be added. But amazingly Cheltenham is planning ahead for 3880 EDU's in the next 20-25 years , and Abington is planning to add over 3,000 EDUs (Only a small % of Abington comes through this system, so their planned growth would be substantially more) . It really has been amazing to watch additions being made to an overburdened system that no one knows quite how to fix (they've been trying for years) but even more mind-boggling to watch the excessive rights that some demand (and receive) , while bearing no cost for the loss and damage to others that results. If a proper tally were kept, it would be easy to see that there were overall losses, not gains from these actions. Developers who want hundreds of units will endanger those who are just enjoying the rights they bought.

7) Please specify exactly where the proposed expansions are anticipated . And what happens if someone proposes more than you have here? Abington stands poised to release rezoning that will change the uses by right on many, many properties, increasing their sewage input. Who will get the precious space - and who will be locked out? A proper list for transparent oversight needs to be kept.

8) Please specify how tapping fees will be handled (another possible political football or opportunity for

some to have fees waived while others pay) While we have heard a desire to keep tapping fees low to accommodate businesses, it needs to be acknowledged that the tapping fees are really then shifted to others who have to pay for that business. They can be made artificially high or artificially low. Following the money is an important task. After we keep taxes low for these added businesses, we have no way to see that we are getting verifiable returns that include all the costs of accommodating them. Longtime township residents are now having trouble selling homes with such high taxes.....the result sometimes of "absorbing fees" for others and paying for the problems of over-building, while a few skip happily off with the benefits of it.

9) Please offer remedies for homeowners when changing the systems as they were built.

In at least one township, I understand that curb vents are being plugged because the now rising waters are overflowing into the sewers. But the sewer systems were intended to have air/ gas vents. I assume proper research has been done to assure some will not be harmed by any excess gases that now flow through their home vents rather than venting in the streets. Homeowners in these areas should be notified, alerted and a standard plan should be in place for these situations.

10) Extraordinary measures being taken or planned to avoid the "trouble spots" may be costly & ill-fated

In a variety of meetings and documents, I have seen and heard of plans to pump around certain spots, to transfer waters from one area to another and to avoid Cheltenham sewers no matter the cost of going another direction. Rather than accommodating the natural flow, we are going to such extraordinary and expensive extents as to make a ridiculously complicated and financially draining system, just to accommodate one more developer, often, or could I say usually, against the wishes of the residents that all are to be serving. These systems are unsustainable and unnecessary. Each township should take the most direct course to the sewer and share the cost of the water that he sends. Other methods are dangerously unsustainable and "rob Peter to pay Paul". This should be addressed in this document.

11) Flow metering is only one of the devices that should be carefully and professionally in regular use.

With issues of this magnitude, flood level measurement devices, sewage overflow measurement devices and devices that keep trash and other blockages out of the systems should be required rather than recommended for the township. Preventive costs are usually far less than emergency management, loss and clean-up. In addition, low flow devices for residents are something that should be on the front burner, as thousands of gallons of reduction from each household employing these devices would likely result. Also the flow metering is bound to vary - so multiple methods and as many cross checks as possible are imperative.

12) Funding and Expenditures should be focused on the main projects at hand and accounted for simply.

The enormous funds to date that have been spent on sewer, flooding, emergency management and stormwater and streamside management is anything but transparent to the people in the townships who are ultimately paying the bills (and paying with the quality of life and the value of their homes.) I would recommend that an important component of 537 oversight would be a provision for charts, with a clear and transparent process for listing all projects, (past current and future) with a priority rating for future projects, and tallying the exact amount budgeted and actually spent. This simple and clear step would allow for resident/property owner oversight and understanding in a substantive way. (This should be done for stormwater management as well which goes hand in hand with this) Watching so many dollars go out in "studies" and others under the moniker of stream and stormwater management that are for items like bird blinds, nature walks or the spraying of pesticides in our creek areas, has been tragic when so many important needs for major sewer and water projects go unfunded. I saw one assessment of \$66M (of which Cheltenham's contribution is to be 58% or \$38.4M- not including debt servicing and O&M) and in the plan we find a figure of 23 million where 13 million is for Cheltenham, 7 million for Abington. Confusion can be reduced by tallying all the costs by township in one place.

13) Please find a way to let each user of the sewage system understand the full cost of their use

Havir, Bryan

From: Ronald Dunbar [REDACTED]
Sent: Thursday, March 28, 2013 3:33 PM
To: Havir, Bryan; jefields@pa.gov
Subject: Act 537 - Comments
Attachments: ACT537_Comments_by_RCDunbar.docx

My comments on Cheltenham's Act 537 plan (and related flooding issues) are attached. Thank you for the opportunity to review and participate in this significant and ongoing issue.

I also plan to send a copy to the township commissioners.

Ronald C Dunbar [REDACTED]
105 Hewett Road
Wyncote, PA 19095

Comments on Act 537 Plan

Township Manager Bryan T. Havir
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DEP Southeast Regional Office
Water Management Program
2 East Main Street
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From: Ronald C Dunbar [REDACTED] owner and resident for 49 years
105 Hewett Road
Wyncote, PA 19095

I have read the Act 537 Summary, parts of the full plan, and some related documents. I have also seen some other submissions to your office. Let me say emphatically that I concur with them and share their authors' very real concerns about the difficulties and costs of flooding remediation. Here are my comments and questions. It is not my intention to duplicate what others have said so well, but there may well be some overlap.

1 Flood waters know no borders. Flooding is truly a watershed-wide problem, and the scope of any study and remediation plan should explicitly, without exception, encompass the *entire* Tookany Creek watershed, which extends well beyond Cheltenham's borders. However, the ACE Program Management Plan (dated March 2012) contains the word "watershed" just once; and in my opinion the plan doesn't really say much about the scope of the study. There are indications that ACE was not allowed (and/or funded) to study and plan beyond Cheltenham's borders, so it's unclear just how encompassing and effective the result may be.

- 1.1 What is the true and full scope and extent of the ACE study, including measurements, projections, site visits, water flow estimates, rainfall projections, etc?
- 1.2 To the extent that it *does* extend beyond Cheltenham, how binding is it on the adjoining municipalities who's drainage contributes substantially to Cheltenham's problem?
- 1.3 To what extent does the ACE study take into account new and/or projected development in the watershed area and the effects of the increased water run-off that is the inevitable consequence?

- 1.4 It's understood that ACE, as a key part of its study, has prepared a flood plain map that encompasses a lot more homes and businesses than the current FEMA map. Apparently this new map is being withheld from the public. Why? When can we expect to see it?
- 1.5 Arro Consulting prepared the 537 plan while ACE was doing its study. How were these parallel efforts coordinated? How are they or will they be integrated?

- 2 The Act 537 Plan prepared by Arro shows an estimated cost of about \$23.7M.
 - 2.1 Is that cost stated in 2013 dollars? Or does it contain provisions for out-year inflation, which could be substantial?
 - 2.2 If inflation-adjusted, what is the average annual rate over the 6-8 year span of the project, and what is the basis for that number?
 - 2.3 Does this cost include some contingency funds for the unpredictable, unexpected, out-of-scope situations and events that are virtually certain to occur in a project of this nature?
 - 2.4 The adjacent municipalities are to bear some of the cost. Is there a specific sharing arrangement in place or in negotiation, and is it legally binding? Or is Cheltenham subject to the arbitrary willingness of their leaders to pay whatever they may decide, if anything? Does the arrangement include a provision to share cost overruns?

- 3 Full flooding remediation involves tasks and projects above and beyond the Act 537 sewer replacement/upgrade. It's not clear (to me) if and where these additional activities are described and cost-estimated. I have heard numbers as high as \$66M for the full cost of complete current and future remediation. It's not really possible to comment usefully on the Act 537 plan without seeing how it fits into the more over-arching plan.
 - 3.1 Where can I (or anyone) find, *in one place*, a concise summary of all the projects that the ACE, Arro, and/or the township believes are needed to achieve effective remediation?
 - 3.2 What parts of this larger plan reflect costs that township residents would have to pay directly, rather than indirectly through taxes?

- 4 One aspect of the emerging plans may include property buy-outs. I think that's a rational approach (full disclosure: I live above any conceivable flood line). From what I read and hear, several dozen properties are buy-out candidates.
 - 4.1 In addition to private residences, would a buy-out plan include businesses and other non-residential properties (such as, for instance, churches)?

- 4.2 A buy-out (and, presumably, removal of structures) removes a property from the tax base, and therefore reduces the township's annual tax revenue far into the future. Has that effect been taken into account in the cost estimating process?
- 4.3 What will be the basis for pricing a buy-out: current market value, which could well be significantly impaired by the property's location in a flood plain; or replacement value?
- 5 Page 44 of "RPT_VOL_1" calls on the township to "... establish a roof drains inspection and disconnection ordinance ...". This ordinance appears to require owners, as a condition of sale, to modify roof drains to prevent gutter-collected water from flowing into the sewers. The wording is "...any roof drains found connected to the sanitary sewer...".
- 5.1 That wording is ambiguous. Does it mean, literally, a pipe from the property connected to a sewer line in the street? Does it mean water from roof drains running down the driveway and into the street, and thence to the nearest in-street grate? The latter could be interpreted to mean that no property may discharge *any* water from its roof into the street – a difficult restriction.
- 5.2 What happens if routing roof water away from the street causes problems for neighboring properties? I should note that rain barrels are ineffective – mine quickly fills and overflows in a typical rainstorm. I can deal with the overflow, others might not be able to.
- 5.3 Who would inspect property drainage? At who's expense? What would be the inspector's qualifications and/or certification?
- 5.4 Does the proposed roof water management apply to businesses and other non-residential properties? The cost for a building with no open ground around it (quite common) to divert all or even some of its roof water away from the sewers could force some if not many to close, in a township that is already suffering from an inadequate business base.
- 5.5 Many non-residential facilities have parking lots and other non-permeable surfaces that contribute significantly to run-off. Will the township's plans bypass them and put all or most of the burden on private residences?

I have no illusions about the complexity of the township's flooding problems or the technical *and* political difficulties of managing and funding an effective remediation program. That said, the township needs to do a *much* better job of informing the citizens about the details of the problem and the proposed short and long term solutions and their costs. For instance, why aren't you pro-actively feeding information to the Times Chronicle and other newspapers? Obviously no one plan will satisfy everybody – can't be done. But the sooner you make the citizens fully aware of what they're facing and the solutions under active consideration the less painful it will be for everyone.