

- There is the statement in the current Plan that the Station will need to be *modified* but no detailed explanation as to the cost, effect and how in respect to digging, adding another station or replacing the current one with a larger one, replacing the piping to Rt. 252 or adding another line, etc. We assume this will require extensive digging down Stoney Brook Boulevard and through our neighborhood to Camelot.
- There is no mention of how the backup generator power source will be increased to handle the larger pump station proposed flow, knowing if there is a power failure the problem; it will be at least 3+ times bigger problem.
- In addition to its impact on our daily living, this plan will have impact on the value of our home both for potential refinancing and for selling in the future,
- There has been a history of groundwater issues in SPW, and there have been groundwater (flooding) problems reported. The SPE treatment plant discharges 35,000 GPD, and the treated sewage goes to seepage beds near Wiltshire. We were told by an engineer that the seepage beds were designed to be a temporary solution. Now, the current 537 Sewer Plan has notes stating the intention of retaining the SPE treatment plant for 5+ years.
- The original plan was to phase out the SPE treatment plant because of its high cost. In 2010, the treatment plant was costing approximately 4 times more than CDCA, per thousand gallons. Since this will be an aging plant, we can expect maintenance costs to increase.

Therefore, I have the following questions looking for a written response to:

- What are the detailed plans on the modification of Camelot Pump Station #6 to increase it to approximately 3+ times its daily flow, including the expected disruption, increased noise and unpleasant odors to our community at Springton Pointe Woods and potential cost to us?
- There was an alternate solution proposed by Kelly Engineers as part of the prior 537 Plan, to install a pumping station on West Chester Pike at the Marville Property, and then send the sewage down West Chester Pike to Rt. 252. It seems to have made more sense to have commercial sewage to come through industrial and major roads versus private residential

neighborhoods, especially when we understood that the builder(s) involved were willing to pay part of the additional cost? Why isn't this plan currently being considered?

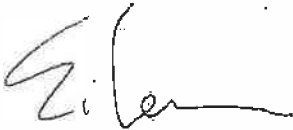
- What is the detailed plan to increase the backup generator support for the larger Camelot Pump Station(s)?
- Please explain the advantages in retaining the SPE Plant for 5+ years compared to the disadvantages of the Treatment Plants additional cost, and the additional drainage problems which would remain if the plan is for SPE plant to remain open.

We look forward to the response to these concerns and questions, since we personally are very concerned about the effect this 537 Sewer Plan 2012 will have on our taxes, house and property value, plus the potential increase in bad odors, noise and the effect on our health.

What we find most confusing is the prior plan doesn't even appear as an alternative, which seems to make the most sense in keeping commercial sewerage down major streets vs. flowing it through private wooded residential communities.

We are OK with additional residential sewerage coming through Camelot as long as it does not require additional increase beyond its current rated capacity. We are not OK with commercial sewage from Boron up on the hill.

Sincerely,



Eileen Nuessle

Copies to: Elizabeth Mahoney, PDE; Richard Sokorai, Town Solicitor; Joseph Catania – Chairman; H. Ross Lambert - Vice-Chairman

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Township of Newtown

209 Bishop Hollow Road
Newtown Square, PA 19073
610-356-0200

www.newtowntownship.org

MICHAEL TRIO, AICP
TOWNSHIP MANAGER

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STANTEC, INC.
TOWNSHIP ENGINEER

BUILDING INSPECTION
UNDERWRITERS, INC.
BUILDING INSPECTOR

December 27, 2012

Mr & Mrs. Frank & Eileen Nuessle
103 Camelot Lane
Newtown Square, PA 19073

RE: Response to Public Comments
Act 537 Official Plan Update for
Newtown Township, Delaware County

Dear Ms. Nuessle:

Thank you for your letter dated November 12, 2012 submitted as a Newtown Square homeowner and taxpayer. We appreciate you taking the time to review the proposed plan and offering your comments and questions. Following please find responses to the questions and comments contained in your letter. The bullets have been changed to numbers for convenience. Our responses are provided in bold below each comment and question for your convenience.

Our problems with this plan are as follows:

1. The current Camelot Pump Station makes noise and smells, yet your last 537 Sewer Plan is going to greatly increase the Pump Station flow to include residential and commercial property to require increasing the maximum capacity to handle 586,860 GPD of sewage. Our 7-Party sewer agreement describes a design to convey up to a maximum of 330,950 gallons per day. Why are you violating that agreement?

This Plan does propose modification to the existing Camelot Pump Station to be capable to handle additional flow. The Camelot Pump Station currently services residential and commercial flow (Springtown Pointe Woods Shopping Center, Newtown Grill, Sunrise Senior Assisted Living, Swim Club, and others tributary to the Hickory Lane Pump Station (CVS, Uno Chicago Grill, Cadillac dealership)). With regard to noise and odors: 1) increasing the flow at the pump station will actually work to decrease the detention time of sewage in the wet well which reduces the potential for odors; 2) The Township intends to install an odor control system that will be provided with the modified pump station; and 3) the Township intends to use superior pumps than those currently used, with variable frequency drives (which also save energy) and submersible pumps, all of which will serve to improve

current conditions while at the same time increasing flow.

2. Confused how the Camelot Sewer Pump Station can actually exist less than 75 feet from the closest physical house and yet be considered for a 3+ times increase in its current flow. I thought there is a requirement in our Town of any sewer pump station to be at least 200 feet from any residential home?

There is no requirement that pump stations sit at least 200 feet from a residential home. The Plan actually replaces the current pump station at the same location and will not be closer to any residential homes. Further, the increased flow will not increase noise or odor, as explained in No. 3 above.

3. With greater gallons planned to pass through Camelot Pump Station #6, we expect the noise will extend over longer hours. Specifically, how will the Township resolve issues of odor and noise?

Please see Response No. 1

4. There is the statement in the current Plan that the Station will need to be *modified* but no detailed explanation as to the cost, effect and how in respect to digging, adding another station or replacing the current one with a larger one, replacing the piping to Rt. 252 or adding another line, etc. We assume this will require extensive digging down Stoney Brook Boulevard and through our neighborhood to Camelot.

Specifics related to the configuration and components of the pump station modification will be finalized during design and bidding of the system. It appears that the existing forcemain is adequate to handle the additional flow anticipated without need for replacement or providing an additional line in Camelot Lane to Rt. 252. However, a larger line will be needed in Stoney Brook Boulevard from Bishop Hollow Road to the location of the proposed pump station replacing the WWTP. Extending the line eastward down West Chester Pike and then southward down Rt. 252 would be far costlier.

5. There is no mention of how the backup generator power source will be increased to handle the larger pump station proposed flow, knowing if there is a power failure, it will be at least 3+ times bigger problem.

Replacement or modification of the existing generator at the Camelot Pump Station has been considered and specifics will be determined during design and bidding of the system.

6. Creates a personal impact as to the value of my home for refinancing and selling in the future, besides daily living.

The new pump station will be no more intrusive than what currently exists. In addition, the Township intends to improve the pump station as set forth in No. 3 above and will also work with the community to improve its appearance.

Therefore, I have the following questions looking for a written response to:

7. What are the detailed plans on the modification of Camelot Pump Station #6 to increase it to approximately 3+ times its daily flow, including the expected disruption, increased noise and unpleasant odors to our community at Springton Pointe Woods and potential cost to us?

Refer to responses to numbers 1 through 6 above. There will be tap in fee for SPW residents since this community is already connected to the public sewer system (i.e. no tap-in fees will need to be paid). However, user fees include overall costs of the system to the extent not covered by tap-in fees. Extending the lines down West Chester Pike and Route 252 is far costlier.

8. There was an alternate solution proposed by Kelly Engineers as part of the prior 537 Plan, to install a pumping station on West Chester Pike at the Marville Property, and then send the sewage down West Chester Pike to Rt. 252. It seems to have made more sense to have commercial sewage to go through industrial and major roads versus private residential neighborhoods, especially when we understood that the builder(s) involved were willing to pay part of the additional cost? Why isn't this plan currently being considered?

The alternative of choice in this Plan is approximately \$5M less costly to the residents and Township compared to the West Chester Pike/Route 252 Route. The Camelot Pump Station currently handles residential and commercial sewage. The increased cost would not be borne solely by the developers but by all users of the system.

9. What is the detailed plan to increase the backup generator support for the larger Camelot Pump Station(s)?

Please refer to response to number 5 above.

10. Please explain the advantages in retaining the SPE Plant for 5+ years compared to the disadvantages of the Treatment Plants additional cost, and the additional drainage problems which would remain if the plan is for SPE plant to remain open.

The Plan proposes to decommission the WWTP and replace it with a pump station in the early stages of the Plan.

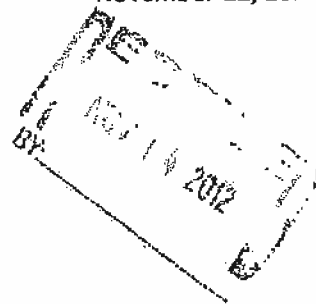
Very Truly Yours,

Michael Trio, AICP
Newtown Township Manager

copy: File

November 12, 2012

George & Regina Mitchell
501 Guinevere Drive
Newtown Square PA
19073
gmitchell10@comcast.net



Mike Trio, Manager
Newtown Township
209 Bishop Hollow Rd.
Newtown Square, PA 19073

Subject: Comments on the 537 Sewer Plan 2012 for Newtown Township

Mr. Trio,

In addition to the comments noted below in this letter, I was personally involved as the Board President of our community concerning the unsettled waterbeds behind our homes on Wiltshire. Jim Sheldrake and Mr. Pennoni were involved in several discussions with me concerning the remediation requirements to stop the underground water flow that resulted in the continual flooding of a home on that street. Ken Brownsowski from Pulte was also present.

It was our considered opinion that any aggressive changes to the ground area could cause more problems and was highly unpredictable. We all felt that once we got the water re-routed it was in everyone's best interest to stop any further digging.

As a Newtown Square homeowner and taxpayer I have the following comments, questions and concerns relating to the latest 2012 modified 537 Sewer Plan. I do appreciate all the hard work you and the Town put into this Plan, getting it to this point for our comments. In summary I disagree with this newly revised 537 Sewer Plan as written, which appears to have major disruptions, ongoing concerns and negative effects to my and all of my neighbors private residential property now and in the future.

The problems and issues I have with this Plan as best as I can understand it, are as follows:

- There have been several complaints from homeowners to the Association and Township regarding the Camelot Pump Station's noise and smells, yet the response in the latest 537 Sewer Plan is a plan to greatly increase the Pump Station flow to include residential and commercial property, which would require increasing the maximum capacity to handle 586,860 GPD of sewage. Our 7-Party sewer agreement describes a design to convey up to a maximum of 330,950 gallons per day. The 2012 Plan requires a Pump Station expansion or addition as noted in the latest Plan with no details.
- Confused how the Camelot Sewer Pump Station can actually exist less than 75 feet from the closest physical house and yet be considered for a 3+ times increase in its current flow. I thought there is a requirement in our Town of any sewer pump station to be at least 200 feet from any residential home?

- With greater gallons planned to pass through Camelot Pump Station #6, we expect the noise will extend over longer hours.
Specifically, how will the Township resolve issues of odors and noise?
- There is the statement in the current Plan that the Station will need to be *modified* but no detailed explanation as to the cost, effect and how in respect to digging, adding another station or replacing the current one with a larger one, replacing the piping to Rt. 252 or adding another line, etc. We assume this will require extensive digging down Stoney Brook Boulevard and through our neighborhood to Camelot.
- There is no mention of how the backup generator power source will be increased to handle the larger pump station proposed flow, knowing if there is a power failure the problem, it will be at least 3+ times bigger problem.
- Creates a personal impact as to the value of my home for refinancing and selling in the future, besides daily living.
- There has been a history of groundwater issues in SPW, and there have been groundwater (flooding) problems reported. The SPE treatment plant discharges 35,000 GPD, and the treated sewage goes to seepage beds near Wiltshire. We were told by an engineer that the seepage beds were designed to be a temporary solution. Now, the current 537 Sewer Plan has notes stating the intention of retaining the SPE treatment plant for 5+ years.
- The original plan was to phase out the SPE treatment plant, because of its high cost. In 2010, the treatment plant was costing approximately 4 times more than CDCA, per thousand gallons. Since this will be an aging plant, we can expect maintenance costs to increase.

Therefore, I have the following questions looking for a written response to:

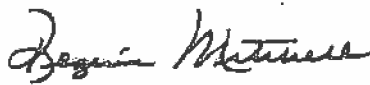
- What are the detailed plans on the modification of Camelot Pump Station #6 to increase it to approximately 3+ times its daily flow, including the expected disruption, increased noise and unpleasant odors to our community at Springton Pointe Woods and potential cost to us?
- There was an alternate solution proposed by Kelly Engineers as part of the prior 537 Plan, to install a pumping station on West Chester Pike at the Marville Property, and then send the sewage down West Chester Pike to Rt. 252. It seems to have made more sense to have commercial sewage to come through industrial and major roads versus private residential neighborhoods, especially when we understood that the builder(s) involved were willing to pay part of the additional cost? Why isn't this plan currently being considered?
- What is the detailed plan to increase the backup generator support for the larger Camelot Pump Station(s)?
- Please explain the advantages in retaining the SPE Plant for 5+ years compared to the disadvantages of the Treatment Plants additional cost, and the additional drainage problems which would remain if the plan is for SPE plant to remain open:

I look forward to the response to these concerns and questions, since I personally am very concerned as to the effect this 537 Sewer Plan 2012 will have on my taxes, house and property value, the potential increase in the bad odors, noise and effect on my health. What I find most confusing is the prior plan doesn't even appear as an alternative, which seems to make the most sense in keeping commercial sewerage down major streets vs. flowing it through private wooded residential communities. I agree with all the other modifications of the latest 537 Sewer Plan such as additional residential sewerage coming through Camelot not requiring additional increase beyond its current rated capacity.

Sincerely,



George Mitchell & Regina Mitchell



Cc. Elizabeth Mahoney
PA Department of Environmental Protection
Southeast Regional Office
2 East Main Street
Norristown, PA
19401

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TOWNSHIP SOLICITOR

STANTEC, INC.
TOWNSHIP ENGINEER

BUILDING INSPECTION
UNDERWRITERS, INC.
BUILDING INSPECTOR

December 27, 2012

Mr. & Mrs. Mitchell
501 Guinevere Drive
Newtown Square, PA 19073

RE: Response to Public Comments
Act 537 Official Plan Update for Newtown Township, Delaware County

Dear Mr. & Mrs. Mitchell:

The Township is in receipt of your letter dated November 12, 2012 raising comments and questions to the proposed Act 537 Plan. Responses to the questions and comments follow:

In addition to the comments noted below in this letter, I was personally involved as the Board President of our community concerning the unsettled waterbeds behind our homes on Wiltshire. Jim Sheldrake and Mr. Pennoni were involved in several discussions with me concerning the remediation requirements to stop the underground water flow that resulted in the continual flooding of a home on that street. Ken Browsowski from Puite was also present.

It was our considered opinion that any aggressive changes to the ground area could cause more problems and was highly unpredictable. We all felt that once we got the water re-routed it was in everyone's best interest to stop any further digging.

Any disturbance will be conducted controlled in such as way so as not to increase stormwater runoff.

The problems and issues I have with this Plan as best as I can understand it, are as follows:

1. There have been several complaints from homeowners to the Association and Township regarding the Camelot Pump Station's noise and smells, yet the response in the latest 537 Sewer Plan is a plan to greatly increase the Pump Station flow to include residential and commercial property, which would require increasing the maximum capacity to handle 586,860 GPD of sewage. Our 7-Party sewer agreement describes a design to convey up to a maximum of 330,950 gallons per day. The 2012 Plan requires a Pump Station expansion or addition as noted

in the latest Plan with no details.

This Plan does propose modification to the existing Camelot Pump Station to be capable to handle additional flow. The Camelot Pump Station currently services residential and commercial flow (Springtown Pointe Woods Shopping Center, Newtown Grill, Sunrise Senior Assisted Living, Swim Club, and others tributary to the Hickory Lane Pump Station (CVS, Uno Chicago Grill, Cadillac dealership). With regard to noise and odors: 1) increasing the flow at the pump station will actually work to decrease the detention time of sewage in the wet well which reduces the potential for odors; 2) The Township intends to install an odor control system that will be provided with the modified pump station; and 3) the Township intends to use superior pumps than those currently used, with variable frequency drives (which also save energy) and submersible pumps, all of which will serve to improve current conditions while at the same time increasing flow.

2. Confused how the Camelot Sewer Pump Station can actually exist less than 75 feet from the closest physical house and yet be considered for a 3+ times increase in its current flow. I thought there is a requirement in our Town that any sewer pump station to be at least 200 feet from any residential home?

There is not requirement that pump stations sit at least 200 feet from a residential home. The Plan actually replaces the current pump station at the same location and will not be closer to any residential homes. Further, the increased flow will not increase noise or odor, as explained in No.3 above.

3. With greater gallons planned to pass through Camelot Pump Station #6, we expect the noise will extend over longer hours. Specifically, how will the Township resolve issues of odors and noise?

Please refer to response No.1 above.

4. There is the statement in the current Plan that the Station will need to be *modified* but no detailed explanation as to the cost, effect and how in respect to digging, adding another station or replacing the current one with a larger one, replacing the piping to Rt. 252 or adding another line, etc. We assume this will require extensive digging down Stoney Brook Boulevard and through our neighborhood to Camelot.

Specifics related to the configuration and components of the pump station modification will be finalized during design and bidding of the system. It appears that the existing forcemain is adequate to handle the additional flow anticipated without need for replacement or providing an additional line in Camelot Lane to Rt. 252. However, a larger line will be needed in Stoney Brook Boulevard from Bishop Hollow Road to the location of the proposed pump station replacing the WWTP. Extending the line eastward down West Chester Pike and then southward down Rt.

252 would be far costlier.

5. There is no mention of how the backup generator power source will be increased to handle the larger pump station proposed flow, knowing if there is a power failure, it will be at least 3+ times bigger problem.

Replacement or modification of the existing generator at the Camelot Pump Station has been considered and specifics will be determined during design and bidding of the system.

6. Creates a personal impact as to the value of my home for refinancing and selling in the future, besides daily living.

The new pump station will be no more intrusive than what currently exists. In addition, the Township intends to improve the pump station as set forth in No.3 above and will also work with the community to improve its appearance.

7. There has been a history of groundwater issues in SPW and there have been groundwater (flooding) problems reported, including problems with property directly adjacent to my property, which is in close proximity to the Camelot Pump Station. The Springton Pointe Estates ("SPE") Treatment Plant discharges 35,000 GPD, and the treated sewage goes to seepage beds near Wiltshire. We were told by an engineer that the seepage beds were designed to be a temporary solution. Now, the current 537 Sewer Plan has notes stating the intention of retaining the SPE Treatment Plant for 5+ years.

The SPE Wastewater Treatment Plant (WWTP) is proposed to be decommissioned and replaced with a pump station within the early stages of the Plan.

8. The original plan was to phase out the SPE Treatment Plant, because of its high cost. In 2010 the treatment plant was costing approximately 4 times more than CDCA, per thousand gallons. Since this will be an aging plant, we can expect maintenance costs to increase.

The SPE Wastewater Treatment Plant (WWTP) is proposed to be decommissioned and replaced with a pump station within the early stages of the Plan.

Therefore, I have the following questions looking for a written response to:

9. What are the detailed plans on the modification of Camelot Pump Station #6 to increase it to approximately 3+ times its daily flow, including the expected disruption, increased noise and unpleasant odors to our community at Springton Pointe Woods and potential cost to us?

Refer to responses to numbers 1 through 4 above. There will be no cost to the

SPW residents since this community is already connected to the public sewer system (i.e. no tap-in fees will need to be paid). However, user fees include overall costs of the system to the extent not covered by tap-in fees. Extending the lines down West Chester Pike to Route 252 is far costlier.

10. There was an alternate solution proposed by Kelly Engineers as part of the prior 537 Plan, to install a pumping station on West Chester Pike at the Marville Property, and then send the sewage down West Chester Pike to Rt. 252. It seems to have made more sense to have commercial sewage to come through industrial and major roads versus private residential neighborhoods, especially when we understood that the builder(s) involved were willing to pay part of the additional cost? Why isn't this plan currently being considered?

The alternative of choice in this Plan is approximately \$5M less costly to the residents and Township compared to the West Chester Pike/Route 252 Route. The Camelot Pump Station currently handles residential and commercial sewage. Also, please refer to response #1 above. The increased cost would not be borne solely by the developers but by all users of the system.


11. What is the detailed plan to increase the backup generator support for the larger Camelot Pump Station(s)?

Please refer to response to number 5 above.

12. Please explain the advantages in retaining the SPE Plant for 5+ years compared to the disadvantages of the Treatment Plants additional cost, and the additional drainage problems which would remain if the plan is for SPE plant to remain open.

The Plan proposes to decommission the WWTP and replace it with a pump station in the early stages of the Plan

Very Truly Yours,



Michael Prio, AICP
Newtown Township Manager

copy: File

November 12, 2012

Rosemary & John Gray
5 Cherry Lane
Newtown Square, PA 19073



TO:

Township Manager Michael Trio
Supervisors Joseph Catania
Ross Lambert
Ed Partridge
John Nawn
George Wood

Comments regarding 2012 Newtown Township Act 537 Submission (Sewer Changes)

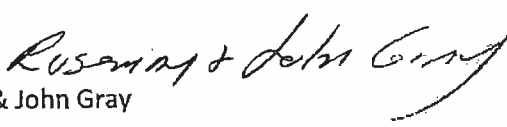
As 15+ year residents of Newtown Square we are expressing our concern about the current proposed Newtown Township Act 537 Submission. We clearly understand the need for Newtown Square to improve the sewer service to the residents and the logical means to do that by joining CDCA. We are concerned with the current proposal of making that connection.

As representatives of all the residents of Newtown Square, I would think you, as Supervisors and Town manager would put their wellbeing, convenience, life style first. We just do not understand why the current Act 537 plan has a large sewer line going into and through our residential area and in addition to that building a large pump station right in the middle of 2 residential communities. What are we thinking when the same sewer line could run east on Rte. 3, a commercial road and connect at the intersection of Rte. 252, another commercial road in the Newtown Square section?

There is no question that when this sewer project gets constructed that it is going to cause inconvenience for all citizens of the area. It is a big project and a needed project! The impact of the construction should not fall on one residential section of the town. The Rte. 3-252 connection would keep most of the impact of the construction in a non-residential area, the inconvenience distributed to residents as well as nonresidents commuting through the community.

We are asking as residents of Newtown Square to again look at the Act 537 plan with the view of keeping it out of the residential part of our community.

Thank You


Rosemary & John Gray

CC Elizabeth Mahoney, PA Department of Environmental Protection

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Township of Newtown

209 Bishop Hollow Road
Newtown Square, PA 19073
610-356-0200

www.newtowntownship.org

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TOWNSHIP MANAGER

RICH SOKORAI, ESQ.
TOWNSHIP SOLICITOR

STANTEC, INC.
TOWNSHIP ENGINEER

BUILDING INSPECTION
UNDERWRITERS, INC.
BUILDING INSPECTOR

December 27, 2012

Mr. & Mrs. Gray
5 Cherry Lane
Newtown Square, PA 19073

RE: Response to Public Comments
Act 537 Official Plan Update for
Newtown Township, Delaware County

Dear Mr. & Mrs. Gray:

The Township in receipt of your letter dated November 12, 2012 raising questions and comments regarding the proposed Act 537 Plan.

The Plan is over \$5M less costly to the residents and Township compared to extending lines down West Chester Pike/Route 252 Alternative. Even if this route were taken with the lines, pump stations would still be required at the proposed locations to handle sewage from your neighborhood.

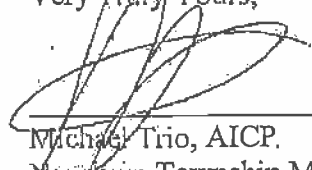
The increased will not be detrimental to the community and there several relevant points to consider in this regard: 1) increasing the flow at the pump station will actually work to decrease the detention time of sewage in the wet well which reduces the potential for odors; 2) the Township intends to install an odor control system that will be provided with the modified pump station; and 3) the Township intends to use superior pumps than those currently used, with variable frequency drives (which also save energy) and submersible pumps, all of which will serve to improve current conditions while at the same time increasing flow. Further Township intends on working with community to make the structures aesthetically consistent with the neighborhood.

Lastly, with respect to disruption during construction, Approximately 14,000 vehicles per day would be impacted during construction on West Chester Pike and 9,000 vehicles per day would be impacted during construction on Route 252. The cost of these delays was not included in the additional cost of this alternative versus the alternative of choice. The width of

Mr. & Mrs. Gray
Act 537 Official Plan Update
12/27/2012
Page 2

Stoney Brook Blvd will allow construction without major disruption.

Very Truly Yours,

A handwritten signature in dark ink, appearing to read "Michael Trio", is written over a horizontal line.

Michael Trio, AICP.
Newtown Township Manager

copy: File

J e f f r e y S. F r e n c h

November 12, 2012

Mr. Michael Trio
Township Manager
Township of Newtown
209 Bishop Hollow Road
Newtown Square, PA 19073

Dear Mr. Trio:

My wife, Anne and I have been following the evolving plans regarding the Act 537 Submission and proposed sewer revisions.

As the Newtown Township resident perhaps most singularly impacted by any decision to install a 336,000 GPD pump station virtually in our side yard, we had hoped that those of you entrusted to protect your fellow residents' interests would have already derailed this outrageous proposal.

We now urge you to take action on our behalf, and on behalf of our entire neighborhood. The idea that Township leadership would permit the disruption to our community, to Stoney Brook Blvd., and to the shared service drive which provides the only access to our home (which for all intents and purposes is, thus, my driveway), let alone the long-term physical intrusion of this facility, is unconscionable, particularly given the following:

- This neighborhood generates barely 10% of the total sewage to be accommodated by this pump station.
- There is a perfectly viable alternative installation and routing associated with the Marville Property, the developer of which owns properties directly responsible for an enormous percentage of the anticipated sewage.

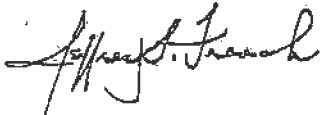
What's wrong with this picture? This simply is neither right nor fair. We are not particularly interested in being taken advantage of here. My family has been in our home for 16 years, and we have been supportive of our municipality's leadership, including the sitting Supervisors, asking very little in return.

We are not prepared to sit on the sidelines on this, so we are investigating our options. In the meantime, we will await a response from the Township, and ultimately, the Pennsylvania DEP.

I ask you to please demand a reconsideration of this current proposal.

Thank you for your participation and cooperation.

Sincerely,



Jeffrey S. French
26 Stoney Brook Blvd.
Newtown Square, PA 19073
610.325.5464
Email: jfrench@ballinger-ae.com

Email Cc: Supervisor Joe Catania
Supervisor Ed Partridge
Supervisor Ross Lambert
Supervisor John Nawn
Supervisor George Wood
Elizabeth Mahoney, PA DEP

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TOWNSHIP ENGINEER

BUILDING INSPECTION
UNDERWRITERS, INC.
BUILDING INSPECTOR

December 27, 2012

Mr. Jeffrey S. French
26 Stoney Brook Blvd.
Newtown Square, PA 19073

RE: Response to Public Comments
Act 537 Official Plan Update for
Newtown Township, Delaware County

Dear Mr. French:

The Township is in receipt of your letter dated November 12, 2012 raising comments and questions to the Act 537 Plan. Responses to your questions and comments follow. My wife, Anne and I have been following the evolving plans regarding the Act 537 Submission and proposed sewer revisions.

As the Newtown Township resident perhaps most singularly impacted by any decision to install a 336,000 GPD pump station virtually in our side yard, we had hoped that those of you entrusted to protect your fellow residents' interests would have already derailed this outrageous proposal.

We now urge you to take action on our behalf, and on behalf of our entire neighborhood. The idea that Township leadership would permit the disruption to our community, to Stoney Brook Blvd., and to the shared service drive which provides the only access to our home (which for all facility, is unconscionable, particularly given the following:

- This neighborhood generates barely 10% of the total sewage to be accommodated by this pump station.

Regardless as to whether sewage from other neighborhoods are pumped through this station, a pump station is required for the sewage generated by your neighborhood. The fact that more sewage will be pumped through this station will not have a deleterious affect on your quality of life. The pump station will replace with existing WWTP, which will be more aesthetically pleasing and require less maintenance or disruption to your life. Also, with respect to the pump station itself, steps will be taken to ensure your quality of life including: 1) higher flow at the

pump station will actually work to decrease the detention time of sewage in the wet well which reduces the potential for odors; 2) The Township intends to install an odor control system that will be provided with the pump station; and 3) the Township intends to use pumps with top of the line motors, with variable frequency drives (which also save energy) and submersible pumps, all of which will serve to improve current conditions while at the same time increasing flow. Further, the Township intends to work with the community to ensure that the structure is aesthetically consistent with the neighborhood.

- There is a perfectly viable alternative installation and routing associated with the Marville Property, the developer of which owns properties directly responsible for an enormous percentage of the anticipated sewage.

Other alternatives which have been suggested by residents such as running lines down West Chester Pike and Route 252 would add over \$5M to the cost of the project. The increased cost would not be borne solely by the developers but by all users of the system.

What's wrong with this picture? This simply is neither right nor fair. We are not particularly interested in being taken advantage of here. My family has been in our home for 16 years, and we have been supportive of our municipality's leadership, including the sitting Supervisors, asking very little in return.

We are not prepared to sit on the sidelines on this, so we are investigating our options. In the meantime, we will await a response from the Township, and ultimately, the Pennsylvania DEP.

I ask you to please demand a reconsideration of this current proposal.

Thank you for your participation and cooperation.

Very Truly Yours,



Michael Trio, AICP
Newtown Township Manager

copy: File



[Print](#)

Subject: FW: 537 Plan

From: Mike Trio <trio@newtownwtpdelco.org>

Sent: Tuesday, November 13, 2012 4:46:20 PM

To: rsokorai@highswartz.com, hem.engineers.dporter@verizon.net

-----Original Message-----

From: Linda Cavanaugh [mailto:lindarcav@comcast.net]

Sent: Tuesday, November 13, 2012 3:46 PM

To: Mike Trio

Subject: 537 Plan

The 537 sewer plan for proposed pump station #5 is an appalling solution for the residents of Springton Pointe Estates, and especially those living near the upper portion of Stoney Brook Blvd. How can township members, in good conscience, approve a plan that takes over 300,000 GPD of sewage from the multi million dollar Marvill Commercial Center, the Newtown Square Corporate Center, the Newtown Business Center and Olde Masters Golf Course, along with five other neighborhoods, and funnel it through a residential community directly behind several homes? Many of these homeowners pay over \$12,000 per year in taxes and deserve more consideration from their representatives. This is not the first time that the homeowners at Springton Pointe Estates have been let down by this township. There are alternate plans which make much more sense. I urge all of the Newtown Township supervisors to act on a more reasonable approach to this issue.

Linda Cavanaugh
19 Stoney Brook Blvd
Newtown Square, PA 19073

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610-356-0200

www.newtowntownship.org

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TOWNSHIP MANAGER

RICH SOKORAI, ESQ.
TOWNSHIP SOLICITOR

STANTEC, INC.
TOWNSHIP ENGINEER

BUILDING INSPECTION
UNDERWRITERS, INC.
BUILDING INSPECTOR

December 27, 2012

Ms. Linda Cavanaugh
19 Stoney Brook Blvd.
Newtown Square, PA 19073

Dear Ms. Cavanaugh:

In response to your email dated November 13, 2012, below are responses to your questions and comments regarding Act 537 Plan for Newtown Township.

The 537 sewer plan for proposed pump station #5 is an appalling solution for the residents of Springton Pointe Estates, and especially those living near the upper portion of Stoney Brook Blvd. How can township members, in good conscience, approve a plan that takes over 300,000 GPD of sewage from the multi-million dollar Marvill Commercial Center, the Newtown Square Corporate Center, the Newtown Business Center and Olde Masters Golf Course, along with five other neighborhoods, and funnel it through a residential community directly behind several homes? Many of these homeowners pay over \$12,000 per year in taxes and deserve more consideration from their representatives. This is not the first time that the homeowners at Springton Pointe Estates have been let down by this township. There are alternate plans which make much more sense. I urge all of the Newtown Township supervisors to act on a more reasonable approach to this issue.

This Plan has not yet been put before the Supervisors. The Plan is the work of professional engineers retained by the Township to develop the best overall plan for the entire community. It is the opinion of the professionals that this Plan is the best overall one for the Township. Developers will be required to pay their share of the costs. Other potential routes, such as running lines down West Chester Pike and Rte. 252 would add over \$5M to the cost of the system that must be passed to the users, which will not be covered solely by the developers.

Very Truly Yours,

Michael Trio, AICP
Newtown Township Manager

copy: File

verizon

[Print](#)

Subject: FW: 537 plan

From: Mike Trio <triom@newtowntwpdelco.org>

Sent: Tuesday, November 13, 2012 11:48:50 AM

To: hem.engineers.dporter@verizon.net

From: jpmrhp@aol.com [mailto:jpmrhp@aol.com]

Sent: Tuesday, November 13, 2012 11:29 AM

To: Mike Trio; jcatania@frontlaw.com; gummydoc@aol.com; ed.partridge@verizon.net; janawn64@gmail.com; georgeesq@aol.com; emahoney@state.pa.us

Subject: 537 plan

Mr. and Mrs. Joseph McIlvaine

106 Stoney Brook Blvd

Newtown Square, Pa. 19073

Mr. Mike Trio, Manager

Newtown Township

209 Bishop Hollow Rd.

Newtown Square, Pa. 19073

Dear Mr. Trio et alii,

My wife and I are homeowners/taxpayers in the Springton Pointe Woods area of upper Stoney Brook Blvd. It has come to our attention that the Township has been hard at work on a plan to funnel other peoples sewage through our neighborhood by installing a GPD pump station in our development. As we understand it, the sewage will then take a circuitous route through our neighborhood and necessitate the installation of underground pipes causing tearing up of our streets and land. The kicker of this whole plan is that approximately only 10% of the flow would be that emanating from our residents in Springton Pointe.

Now, Mr. Trio, if you were a resident of Springton Point, would that be palatable to you? Rip your neighborhood up

to allow other peoples sewage to pass through! Come on, you know that's not fair to the locals! People purchased expensive homes in this area because of the quality of life, and to impose something like this, would put a major blight on the community. Please reconsider this 537 plan.

There is an alternate solution which seemingly is being overlooked. Wouldn't it be less intrusive to the taxpayers of Springton Pointe to implement this alternative solution to install the pumping station on West Chester Pike and then send the sewage down Rte. 252, that way circumventing neighborhoods? The back end of the Newtown Corporate Center could send its sewage via the existing pump station in Newtown Heights and that way residents and homes are not being totally disrupted for a long period of time.

There seems to be a slew of potential problems and unanswered questions. We ask that you consider the alternative plan, as it will be much more amenable for all concerned.

We look forward to a positive response to this e-mail.

Sincerely,

Joseph and Martha McIlvaine

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MICHAEL TRIO, AICP
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TOWNSHIP ENGINEER

BUILDING INSPECTION
UNDERWRITERS, INC.
BUILDING INSPECTOR

December 27, 2012

Joseph & Martha McIlvaine
106 Stoney Brook Blvd.
Newtown Square, PA 19073

Dear Mr. & Mrs. McIlvaine:

In response to your e-mail dated November 13, 2012, below are responses to your questions and comments regarding Act 537 Plan for Newtown Township.

My wife and I are homeowners/taxpayers in the Springton Pointe Woods area of upper Stoney Brook Blvd. It has come to our attention that the Township has been hard at work on a plan to funnel other people's sewage through our neighborhood by installing a GPD pump station in our development. As we understand it, the sewage will then take a circuitous route through our neighborhood and necessitate the installation of underground pipes causing tearing up of our streets and land. The kicker of this whole plan is that approximately only 10% of the flow would be that emanating from our residents in Springton Pointe. Now, Mr. Trio, if you were a resident of Springton Point, would that be palatable to you? Rip your neighborhood up to allow other peoples sewage to pass through! Come on, you know that's not fair to the locals! People purchased <http://netmail.verizon.com/netmail/driver?nimlet=showcanvas#> 1 of 2 expensive homes in this area because of the quality of life, and to impose something like this, would put a major blight on the community. Please reconsider this 537 plan.

There is an alternate solution which seemingly is being overlooked. Wouldn't it be less intrusive to the taxpayers of Springton Pointe to implement this alternative solution to install the pumping station on West Chester Pike and then send the sewage down Rte. 252, that way circumventing neighborhoods? The back end of the Newtown Corporate Center could send its sewage via the existing pump station in Newtown Heights and that way residents and homes are not being totally disrupted for a long period of time. There seems to be a slew of potential problems and unanswered questions. We ask that you consider the alternative plan, as it will be much more amenable for all concerned.

We look forward to a positive response to this e-mail.

Under the Plan, the line will not take a circuitous route through Springton Pointe

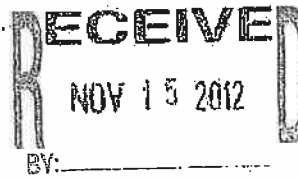
Estates. The line will be constructed in Stoney Brook Blvd and will connect to a pump station at the location of the existing Waste Water Treatment Plant that will not remain. Unlike the current situation where waste is treated on site and discharged back into the community, the Plan will pump all waste to a remote location for treatment at a central facility. The alternate routes that you suggest would add over \$5M to the estimated project costs which must be passed on to the users of the system. This would also be more disruptive to the entire community. Stoney Brook Boulevard is wide enough to accommodate sewer construction and traffic. Regardless as to whether waste from other parts of the community is conducted through pipes beneath Stoney Brook Blvd., a pump station will be required to connect Springton Pointe Estates to the system. The additional flow from other parts of the community will not have a more deleterious effect on your community than the other required pumps.

Very Truly Yours,



Michael T. AICP
Newtown Township Manager

copy: File



November 13, 2012

John and Mary Dougherty
414 Merlin Road
Newtown Square
PA, 19073

Mike Trio, Manager
Newtown Township
209 Bishop Hollow Rd.
Newtown Square, PA 19073

Dear Mr. Trio:

Subject: Comments on the 537 Sewer Plan 2012 for Newtown Township

As Newtown Square homeowners and taxpayers, we are very concerned about the latest 2012 modified 537 Sewer Plan

Please note our concerns:

- Unbelievably we understand that there was an option to have the pump station in the industrial development on the Marville property and away from the residential areas and that this option was rejected. That proposal would make the most sense. What was the justification for not accepting this proposal. These are our homes that will be impacted. Homes that we have all have worked very hard to purchase, and continue to work hard to maintain. You only have to look around these homes to see the pride of ownership and what a wonderful community we are fortunate to live in. We do not want to have to move because of odors and noise. What compensation will the township be giving to the residents of Newtown Square when no one will buy our homes or at a minimum the value of our homes is reduced. No one wants to see a slew of lawsuits etc. but no one wants to live near a sewer plant, particularly an increase to an existing sewage plant, one which already has problems for residents. This increase in capacity to the sewage plant was not even contemplated when most of us purchased our homes. We researched and no where was this possibility evident.
- These houses in Newtown Square were all purchased by the homeowners over the last few years in good faith that the Township would be there to protect our well being. We urge you to accept the Marville property proposal. It is only fair that those residents already in the area not be hurt by an extension of a sewage plant necessitated by increased building permits. Those who will be building in the future can purchase with the full knowledge of the sewage plant and

real estate will be priced accordingly hurting no one financially. We have a residential area to be proud of and we can guarantee that there will be a mass exodus if this sewage treatment expansion goes ahead in our development.

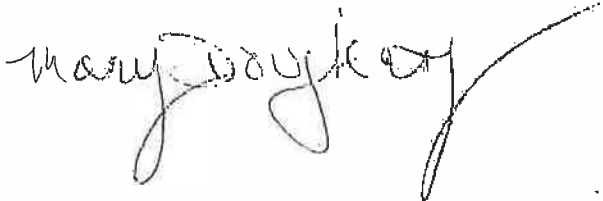
There will no doubt be a major environmental impact in the area too. Perhaps not immediately but in a few years when the equipment is older. How damaging it would be to the forests and the large wooded areas near our properties when we have too much rain and there is an overflow. What if there is a power outage which as you all know happens frequently?? We believe that if the plant were located in the marville area the damage would be mitigated given that it does not involve a residential area or woods.

- What are you all thinking to even consider what you are considering in this development??
- We, as taxpayers in your township are urging you to make the right decision. Please act as if you live where we do and look at it from our point of view. We do not want to have to move and can not stress enough to you how concerned we are.

Your earliest response would be appreciated. We would be happy to meet with you to address our concerns at any time. It is too late once it has been built to fix the issues but it is not too late now and we have faith that you will do the right thing by the residents of Newtown Square.

Yours sincerely


John and Mary Dougherty



cc. Elizabeth Mahoney,

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TOWNSHIP ENGINEER

BUILDING INSPECTION
UNDERWRITERS, INC.
BUILDING INSPECTOR

December 27, 2012

Mr. and Mrs. John Dougherty
414 Merlin Road
Newtown Square, PA 19073

Dear Mr. & Mrs. Dougherty:

In response to your letter dated November 13, 2012 below are responses to your questions and comments regarding Act 537 Plan for Newtown Township.

As Newtown Square homeowners and taxpayers, we are very concerned about the latest 2012 modified 537 Sewer Plan.

Please note our concerns:

- Unbelievably we understand that there was an option to have the pump station in the industrial development on the Marville property and away from the residential areas and that this option was rejected. That proposal would make the most sense. What was the justification for not accepting this proposal. These are our homes that will be impacted. Homes that we have all have worked very hard to purchase, and continue to work hard to maintain. You only have to look around these homes to see the pride of ownership and what a wonderful community we are fortunate to live in. We do not want to have to move because of odors and noise. What compensation will the township be giving to the residents of Newtown Square when no one will buy our homes or at a minimum the value of our homes is reduced. No one wants to see a slew of lawsuits etc. but no one wants to live near a sewer plant, particularly an increase to an existing sewage plant, one which already has problems for residents. This increase in capacity to the sewage plant was not even contemplated when most of us purchased our homes. We researched and no where was this possibility evident.

Industrial waste is not planned to be routed through the Springton Pointe Estates. There is no intention of treating the sewage from your portion of the community or other portions of the community at Springton Pointe estates. The waste will merely be pumped to a remote treatment facility.

- These houses in Newtown Square were all purchased by the homeowners over the last few years in good faith that the Township would be there to protect our well being. We

urge you to accept the Marville property proposal. It is only fair that those residents already in the area not be hurt by an extension of a sewage plant necessitated by increased building permits. Those who will be building in the future can purchase with the full knowledge of the sewage plant and real estate will be priced accordingly hurting no one financially. We have a residential area to be proud of and we can guarantee that there will be a mass exodus if this sewage treatment expansion goes ahead in our development.

There is no intention of treating the sewage from your portion of the community or other portions of the community at Springton Pointe Estates. The waste will merely be pumped to a remote treatment facility. The developers will be paying their share of costs, but ultimately costs must be borne by all new users.

There will no doubt be a major environmental impact in the area too. Perhaps not immediately but in a few years when the equipment is older. How damaging it would be to the forests and the large wooded areas near our properties when we have too much rain and there is an overflow. What if there is a power outage which as you all know happens frequently?? We believe that if the plant were located in the marville area the damage would be mitigated given that it does not involve a residential area or woods.

There is no intention of treating the sewage from your portion of the community or other portions of the community at Springton Pointe Estates. The waste will merely be pumped to a remote treatment facility.

- What are you all thinking to even consider what you are considering in this development??

Please see above.

- We, as taxpayers in your township are urging you to make the right decision. Please act as if you live where we do and look at it from our point of view. We do not want to have to move and can not stress enough to you how concerned we are.

Your earliest response would be appreciated. We would be happy to meet with you to address our concerns at any time. It is too late once it has been built to fix the issues but it is not too late now and we have faith that you will do the right thing by the residents of Newtown Square.

Very Truly Yours,

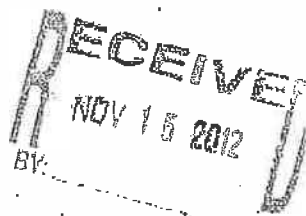


Michael Trio, AICP
Newtown Township Manager

copy: File

Holly Neff

From: rick.m.koenig@comcast.net
Sent: Thursday, November 15, 2012 12:34 PM
To: Mike Trio; Holly Neff
Cc: rick.m.koenig@comcast.net; hem.engineers@verizon.net; rsokorai@highswartz.com
Subject: Comments on 537 Plan
Attachments: Comments on 537 Plan.docx



Dear Mr. Trio:

Please find attached my comments and questions concerning the revised 537 Plan. I am assuming that you will provide this attachment to anyone in addition to yourself who should receive it within the comment period. I'd be most appreciative if you could confirm receipt of this document by reply to this email. Thank you.

Sincerely,

Richard Koenig
195 Hunt Valley Circle
Berwyn, PA 19312

Cell phone: 610-213-0725

11/15/2012

November 14, 2012



Michael Trio (triom@newtowntwpdelco.org)
Township Manager
Newtown Township
209 Bishop Hollow Road
Newtown Square, PA 19073

- Cc via email only:

Holly Neff (neffh@newtowntwpdelco.org)
Newtown Township

Richard Sokorai (rsokorai@highswartz.com)
Township Solicitor
Newtown Township

David Porter, E.I.T. (hem.engineers@verizon.net)
Herbert E. Mac Combie, Jr., P.E.
Consulting Engineers & Surveyors, Inc.

In re: Act 537 Planning Update

Dear Mr. Trio:

Please find here my comments and questions about the revised 537 Plan as it affects Hunt Valley Circle in Newtown Township and my residential property in particular. I am assuming that you will provide these comments and questions to anyone in addition to yourself who should receive them under the appropriate procedure for making sure that residents' desires and concerns are given serious consideration.

For several years I have advocated extension of sewer service to our neighborhood in Hunt Valley Circle. But heretofore in every representation to me by Township officials and their earlier consulting engineers the plan was to run the sewer main along the street. The system was to work under low pressure, with each household equipped with a grinder pump.

Although that original intent is still noted in the revised Plan, that Plan now highlights a preferred option. This other option relies on a sewer main—not a lateral, but the main—that would bisect Hunt Valley Circle and cross the entirety of my residential property from front to back.

-more

Nevertheless, I continue to advocate sewer service for our neighborhood. Even though the revised Plan now puts the sewer main across my property, I look forward to working with the Township and its consulting engineers to make a success of the Plan for everyone involved.

The revised Plan does, however, raise many questions for which I am requesting answers as soon as possible:

- What exactly are the relative costs—gravity vs. low-pressure, near-term and long-term—for my particular property?
- What are the relative operational advantages and disadvantages of gravity and low-pressure systems? What are the pipe diameters and pipe-construction materials for each system?
- Where exactly would the sewer main run over my property? I am aware of how the main is mapped, but many design details remain unclear.
- Where exactly would a lateral run between my house and the main?
- Can I assume that the lateral from my house could be constructed at the same time the main is installed?
- What would be the width of the easement across my property, considering not only the width of the ditch for the sewer main but also of the property the township needs to acquire to gain working access for construction crews and equipment, both during installation of the main and later during any inspections and maintenance?
- What would I be paid when the Township condemns my property to gain the easement?
- What measures would be taken to alleviate noise, property disruption, and general disturbance caused by the installation of a sewer main across my property?
- Which trees would be removed to ensure no root damage to the sewer main or to the lateral from my house?
- How does the Township propose to repair and re-landscape its easement and my adjoining property following any damage resulting from the sewer-main installation and its maintenance?
- What will be the Township's liability in the event of any problem with the sewer main following installation, especially including a break or leak in the line? I'm assuming that the Township would bear full liability, and that I would bear no liability.

-- How often would the sewer main need to undergo routine inspection and maintenance?

-- How would the Township choose a contractor to construct the sewer main across my property?

-- What is the best guess as to when construction will start in Hunt Valley Circle and when the project will be completed?

-- What is the expected useful life of the sewer main and laterals connected to it?

As for financing the construction, my understanding is that the Township, or at least the Municipal Authority, once considered floating a bond issue that would underwrite construction of laterals as well as sewer mains. Homeowners would thus have the advantage of Township's leverage in obtaining low interest rates.

But, if I understand the revised Plan correctly, homeowners are now on their own to arrange financing. Why?

If the Township wants to encourage lateral connections sooner rather than later, I would think the opportunity for homeowners to participate in the one-time advantage of a municipal financing for the laterals would work to the Township's advantage. It would certainly inure to the benefit of homeowners, and not only because of the lower interest rates. If many homeowners in a particular neighbor, having available to them the advantage of Township financing for laterals, were thus prompted to opt for immediate lateral connections, they together would then be in a stronger position to negotiate reasonable construction costs by putting their combined business up for bid by contractors.

For that matter, I had also understood that the Township itself might put construction of laterals up for bid. The purchasing power of the Township would work to still greater advantage of homeowners than would the purchasing power of single neighborhoods. Might this idea be revived?

I believe these questions about financing and contracting arrangements deserve answers. I do not argue, however, that the arrangements now proposed by Township are without reason, and I would hope any further discussion of them would not unduly delay getting on with construction.

Whatever the ultimate financial and bidding arrangements, I assume that the Township will establish and strictly enforce uniform high standards for all contractors working on either sewer mains or laterals.

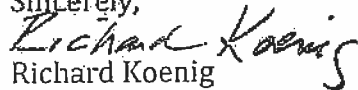
I am sure I will have more questions. For example, I am looking into whether trenching for sewer mains and laterals in our neighborhood might be coordinated with installing laterals to the water main already available for part of the neighborhood.

But I would like to get answers to the questions above as soon as possible. I am requesting that the Township notify me, preferably by email (rick.m.koenig@comcast.net), of any news and any hearings related to the 537 Plan.

I am encouraged by the commitment of the Township to providing sewer service in the near future, and I look forward to working with the Township and its engineers and contractors under the outline of the revised Plan.

Thank you for your consideration.

Sincerely,


Richard Koenig

195 Hunt Valley Circle
Berwyn, PA 19312

Cell phone: 610-213-0725

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TOWNSHIP ENGINEER

BUILDING INSPECTION
UNDERWRITERS, INC.
BUILDING INSPECTOR

December 27, 2012

Mr. Richard Koenig
195 Hunt Valley Circle
Berwyn, PA 19312

RE: Response to Public Comments
Act 537 Official Plan Update for
Newtown Township, Delaware County

Dear Mr. Koenig:

The Township is in receipt of your letter dated November 14, 2012 submitting questions and comments regarding the Township's proposed Act 537 plan. Following please find responses to the questions and comments contained in your letter:

1. What exactly are the relative costs—gravity vs. low-pressure, near-term and long-term—for my particular property?

Please refer to Appendix O for the Act 537 Planning Update. By way of further answer, homeowners with low pressure systems will have to bear the cost of the grinder pump, which typically ranges from \$5,500 to \$6,000 installed and which typically have to be replaced every 15 to 20 years, however this depends on whether the pumps are properly maintained by the homeowner. There also will be maintenance costs and electrical cost associated with the pump. Maintenance should be performed in accordance with manufacturer recommendations, which may vary depending upon the pump selected.

2. What are the relative operational advantages and disadvantages of gravity and low-pressure systems? What are the pipe diameters and pipe-construction materials for each system?

The greatest operational advantage of a gravity sewer system is that it relies on gravity for conveyance. Low pressure sewers rely on mechanical means to push sewage through the lines. These mechanical means are a series of small pumps with check valves in the lines to prevent sewage from draining back into the building. However, low pressure sewers generally have an operational advantage in areas

with challenging topography. Pipe diameters are dependent upon the amount of sewage that needs to be collected and conveyed. Generally with gravity sewers, the lateral is a 4-inch (residential) or a 6-inch or larger (commercial) diameter polyvinyl chloride (PVC) pipe with connection to an 8-inch or 10-inch diameter PVC gravity main. Low pressure sewers typically require a 1½ to 2-inch diameter PVC or (high density polyethylene) HDPE pipe lateral with connection to a main, which will vary in size from smaller diameter to larger diameter with distance from connection point to a regional pump station or connection to a gravity system with the smallest diameter main being farthest from the connection point.

3. Where exactly would the sewer main run over my property? I am aware of how the main is mapped, but many design details remain unclear.

The specific design will not be completed until after there is an approved Plan. The specific location of the main will be finalized during design of the system prior to the bidding.

4. Where exactly would a lateral run between my house and the main?

This will also be finalized during the design of the system with consideration of results of field survey to determine building floor elevations with respect to elevation of the main and input from each property owner with regard to where they would like their lateral to be situated.

5. Can I assume that the lateral from my house could be constructed at the same time the main is installed?

You will most likely be able to coordinate the installation of your lateral at or near the same time as the main installation.

6. What would be the width of the easement across my property, considering not only the width of the ditch for the sewer main but also of the property the township needs to acquire to gain working access for construction crews and equipment, both during installation of the main and later during any inspections and maintenance?

The minimum width of an easement for a sanitary sewer main would be 25 feet. However, this does not mean that 25 feet necessarily needs to be disturbed.

7. What would I be paid when the Township condemns my property to gain the easement?

Property owners are entitled to just compensation depending on the area of the easement. An agreement may be reached in lieu of condemnation. We have found in other Townships property owners are aware that at times easements are necessary for the greater good of the community and are willing to work with the municipality to help the community. Otherwise, the cost will be determined by an appraisal process. You noted in a subsequent email on December 17, 2012 that Mr.

MacCombie suggested that you would not be entitled to compensation. This is not accurate. Mr. MacCombie merely stated that in his experience often times people do not require such compensation.

8. What measures would be taken to alleviate noise, property disruption, and general disturbance caused by the installation of a sewer main across my property?

Sewer main construction would proceed in accordance with design plans and any permits gained in the design process, including Erosion and Sediment Control plans which limit disturbance. In general construction of the main would only require a few days disruption on your property with some minimal time afterward for fine grading and establishment of vegetation.

9. Which trees would be removed to ensure no root damage to the sewer main or to the lateral from my house?

This will be determined by field survey for design of the system.

10. How does the Township propose to repair and re-landscape its easement and my adjoining property following any damage resulting from the sewer-main installation and its maintenance?

Erosion and Sediment Control requirements include immediate stabilization and vegetation of disturbed areas.

11. What will be the Township's liability in the event of any problem with the sewer main following installation, especially including a break or leak in the line? I'm assuming that the Township would bear full liability, and that I would bear no liability.

Liability depends on the circumstances under which the break occurred. The Township and/or Municipal Authority could be held liable if they cause the break.

12. How often would the sewer main need to undergo routine inspection and maintenance?

There is typically very little maintenance required for sewer lines. Video and jetting of lines typically occurs approximately every several years and on an as needed basis.

13. How would the Township choose a contractor to construct the sewer main across my property?

The project will be publicly bid.

14. What is the best guess as to when construction will start in Hunt Valley Circle and when the project will be completed?

Construction could begin as early as summer or fall of 2014 if the Plan is not appealed after approval from PA DEP.

15. What is the expected useful life of the sewer main and laterals connected to it?

With improved construction standards and materials, the useful life of a main and lateral may be in excess of 50 years.

As for financing the construction, my understanding is that the Township, or at least the Municipal Authority, once considered floating a bond issue that would underwrite construction of laterals as well as sewer mains. Homeowners would thus have the advantage of Township's leverage in obtaining low interest rates.

But, if I understand the revised Plan correctly, homeowners are now on their own to arrange financing. Why?

The laterals are the property of the homeowner. Including such costs is costly for the Township to manage, which costs would have to be passed on to all users.

If the Township wants to encourage lateral connections sooner rather than later, I would think the opportunity for homeowners to participate in the one-time advantage of a municipal financing for the laterals would work to the Township's advantage. It would certainly inure to the benefit of homeowners, and not only because of the lower interest rates. If many homeowners in a particular neighborhood, having available to them the advantage of Township financing for laterals, were thus prompted to opt for immediate lateral connections, they together would then be in a stronger position to negotiate reasonable construction costs by putting their combined business up for bid by contractors.

Individual communities may achieve comparable costs of construction by coordinating to have the same contractor do lateral installation for all or most of the community.

For that matter, I had also understood that the Township itself might put construction of laterals up for bid. The purchasing power of the Township would work to still greater advantage of homeowners than would the purchasing power of single neighborhoods. Might this idea be revived?

No. The Township does not intend to include lateral or grinder pumps in the overall construction of the system. The laterals and/or grinder pumps are privately owned by the homeowners. The Township is investigating potential ways to reduce the initial financial burden on property owners that will require grinder pumps.

I believe these questions about financing and contracting arrangements deserve answers. I do not argue, however, that the arrangements now proposed by Township are without reason, and I would hope any further discussion of them would not unduly delay getting

on with construction.

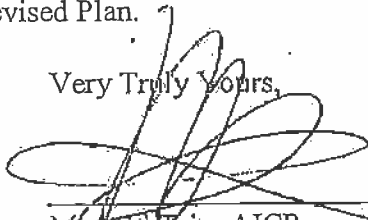
Whatever the ultimate financial and bidding arrangements, I assume that the Township will establish and strictly enforce uniform high standards for all contractors working on either sewer mains or laterals.

I am sure I will have more questions. For example, I am looking into whether trenching for sewer mains and laterals in our neighborhood might be coordinated with installing laterals to the water main already available for part of the neighborhood.

But I would like to get answers to the questions above as soon as possible. I am requesting that the Township notify me, preferably by email (rick.m.koenig@comcast.net), of any news and any hearings related to the 537 Plan.

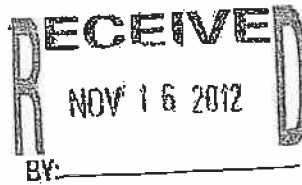
I am encouraged by the commitment of the Township to providing sewer service in the near future, and I look forward to working with the Township and its engineers and contractors under the outline of the revised Plan.

Very Truly Yours,

A handwritten signature in black ink, appearing to read "Michael Trio", is written over a horizontal line.

Michael Trio, AICP
Newtown Township Manager

copy: File



November 14, 2012

Cherie Dolan
138 Camelot Lane
Newtown Square, Pa. 19073
cbjc@comcast.net

Mike Trio, Manager
Newtown Township
209 Bishop Hollow Rd.
Newtown Square, Pa. 19073

Subject: Comments on the 537 Sewer Plan 2012 for Newtown Township

Mr. Trio,

I am very concerned about the Camelot Pump Station Plan for so many reasons!
I live directly across the street from the existing Pump Station.
The smell of GAS is present at times!
The NOISE coming from the Pump is loud!

If the electricity goes off and the generator fails, the FLOW into the nonworking Pump DOES NOT STOP!
WHY is a much larger Pump handling commercial sewage being installed on a RESIDENTIAL street?
This will affect the DESIRABILITY of my home!
How will The RESALE value of my home be affected?
How will REFINANCING my home be effected?
How will my TAXES be affected?

I am disgusted that the SMELL and NOISE from the Pump will increase!
I am disgusted with the thought of a LOWER HOUSE VALUE!
I am disgusted that my house will be UNDESIRABLE for resale!
I am disgusted with the possibility of increased TAXES!
I am very concerned about how the larger Pump and the potential problems might affect my health.

PLEASE DO NOT INSTALL THE MUCH LARGER CAMELOT PUMP STATION ACROSS THE STREET FROM MY HOME!

Sincerely,

Cherie Dolan

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TOWNSHIP MANAGER

RICH SOKORAI, ESQ.
TOWNSHIP SOLICITOR

STANTEC, INC.
TOWNSHIP ENGINEER

BUILDING INSPECTION
UNDERWRITERS, INC.
BUILDING INSPECTOR

December 27, 2012

Cherie Dolan
138 Camelot Lane
Newtown Square, PA 19073

Dear Ms. Dolan:

In response to your letter dated November 14, 2012 below are responses to your questions and comments regarding Act 537 Plan for Newtown Township.

I am very concerned about the Camelot Pump Station Plan for so many reasons! I live directly across the street from the existing Pump Station.

1. The smell of GAS is present at times!

The existing pump station is to be improved from the existing pump station, including: 1) steady the flow at the pump station will work to decrease the detention time of sewage in the wet well which reduces the potential for odors; 2) The Township intends to install an odor control system that will be provided with the modified pump station; and 3) the Township intends to use superior pumps than those currently used, with variable frequency drives (which also save energy) and submersible pumps, all of which will serve to improve current conditions while at the same time increasing flow. Lastly the Township intends to work with the residents to ensure the pump station is aesthetically consistent with the surrounding neighborhood.

2. The NOISE coming from the Pump is loud!

See response to No. 1.

3. If the electricity goes off and the generator fails, the FLOW into the nonworking Pump DOES NOT STOP!

The new pump station will have backup generators and alarm systems.

4. WHY is a much larger Pump handling commercial sewage being installed on a

RESIDENTIAL street?

The existing pump station already handles commercial sewage (Springtown Pointe Woods Shopping Center, Newtown Grill, Sunrise Senior Assisted Living, Swim Club, and others tributary to the Hickory Lane Pump Station (CVS, Uno Chicago Grill, Cadillac dealership). Further, the modifications to the pump station discussed in No. 1 will improve conditions.

5. This will affect the DESIRABILITY of my home!

The changes will be beneficial.

6. How will The RESALE value of my home be affected? How will REFINANCING my home be effected?

No change is anticipated.

7. How will my TAXES be affected?

No change in taxes. However, the Plan is over \$5M less expensive than other possible routes that will save significant money in sewer charges.

8. I am disgusted that the SMELL and NOISE from the Pump will increase! I am disgusted with the thought of a LOWER HOUSE VALUE!

Please see No. 1 above.

9. I am disgusted that my house will be UNDESIRABLE for resale! I am disgusted with the possibility of increased TAXES!

Please see Nos. 5 and 6 above.

10. I am very concerned about how the larger Pump and the potential problems might affect my health.

Please see No. 1.

PLEASE DO NOT INSTALL THE MUCH LARGER CAMELOT PUMP STATION ACROSS THE STREET FROM MY HOME!

Very Truly Yours.

Michael Trio, AICP
Newtown Township Manager

copy: File

Holly Neff

From: Mike Trio
Sent: Thursday, November 15, 2012 5:10 PM
To: 'Dave Porter'
Cc: Holly Neff
Subject: FW: Act 537-Springton Pointe Estates



From: Jean Ruggieri [mailto:jeanruggieri@comcast.net]
Sent: Thursday, November 15, 2012 3:59 PM
To: Mike Trio
Cc: jcatania@frontlaw.com; gummydoc@aol.com; ed.partridge@verizon.net; janawn64@gmail.com; georgeesq@aol.com; emahoney@state.pa.us
Subject: Act 537-Springton Pointe Estates

Hello,

I am a resident of Springton Pointe Estates and have just become aware of Act 537 and how it will affect our community. Springton Pointe Estates is presently already handling the detour traffic due to the closure of Gradyville Road. Apparently there is no bridge reconstruction date in site. Now, there are plans to dig up Stoney Brook Blvd to install a pump station. I usually drive down Stoney Brook Blvd from Bishop Hollow Road to get into my neighborhood along with hundreds of people coming to and from the Newtown Square Corporate Campus. Will all these people be forced to take Bishop Hollow Road to West Chester Pike causing a total back-up in the heart of Newtown Square? If the Gradyville Bridge is not completed before the construction of the Springton Pointe Pump Station this will be a nightmare (putting heavy equipment vehicles for a long period time where there are young children playing). I understand there is an alternate solution to the SPE Pump Station and that is to install the Pump Station on West Chester Pike at Marville Property which would bypass the SPE residential community. Since the Marville Property is sitting there doing nothing, this appears to be a more viable solution. I am requesting that you would rethink the construction of this pump station in the SPE community. Thank you. Jean Ruggieri

Jean Ruggieri
 All Walls & Ceilings, Inc.
www.allwallsus.com
 610-356-6500
 610-356-6505 FAX
jeanruggieri@comcast.net

11/16/2012



[Print](#)

Subject: FW: Act 537-Springton Pointe Estates
From: Mike Trio <triom@newtowntwpdelco.org>
Sent: Thursday, November 15, 2012 5:10:01 PM
To: hem.engineers.dporter@verizon.net
CC: HNeff@newtowntwpdelco.org

From: Jean Ruggieri [mailto:jeanruggieri@comcast.net]
Sent: Thursday, November 15, 2012 3:59 PM
To: Mike Trio
Cc: jcatania@frontlaw.com; gummydoc@aol.com; ed.partridge@verizon.net; janawn64@gmail.com; georgeesq@aol.com; emahoney@state.pa.us
Subject: Act 537-Springton Pointe Estates

Hello,

I am a resident of Springton Pointe Estates and have just become aware of Act 537 and how it will affect our community. Springton Pointe Estates is presently already handling the detour traffic due to the closure of Gradyville Road. Apparently there is no bridge reconstruction date in site. Now, there are plans to dig up Stoney Brook Blvd to install a pump station. I usually drive down Stoney Brook Blvd from Bishop Hollow Road to get into my neighborhood along with hundreds of people coming to and from the Newtown Square Corporate Campus. Will all these people be forced to take Bishop Hollow Road to West Chester Pike causing a total back-up in the heart of Newtown Square? If the Gradyville Bridge is not completed before the construction of the Springton Pointe Pump Station this will be a nightmare (putting heavy equipment vehicles for a long period time where there are young children playing). I understand there is an alternate solution to the SPE Pump Station and that is to install the Pump Station on West Chester Pike at Marville Property which would bypass the SPE residential community. Since the Marville Property is sitting there doing nothing, this appears to be a more viable solution. I am requesting that you would rethink the construction of this pump station in the SPE community. Thank you. Jean Ruggieri

Jean Ruggieri
All Walls & Ceilings, Inc.
www.allwallsus.com
610-356-6500
610-356-6505 FAX
jeanruggieri@comcast.net

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December 27, 2012

Jean Ruggieri
5 Old Forest Road
Newtown Square, PA 19073

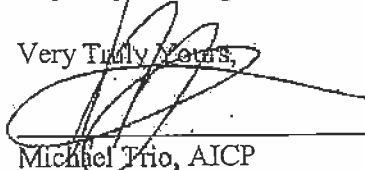
Dear Ms. Ruggieri:

In response to your e-mail dated November 15, 2012, below are responses to your questions and comments regarding Act 537 Plan for Newtown Township.

I am a resident of Springton Pointe Estates and have just become aware of Act 537 and how it will affect our community. Springton Pointe Estates is presently already handling the detour traffic due to the closure of Gradyville Road. Apparently there is no bridge reconstruction date in site. Now, there are plans to dig up Stoney Brook Blvd to install a pump station. I usually drive down Stoney Brook Blvd from Bishop Hollow Road to get into my neighborhood along with hundreds of people coming to and from the Newtown Square Corporate Campus. Will all these people be forced to take Bishop Hollow Road to West Chester Pike causing a total back-up in the heart of Newtown Square? If the Gradyville Bridge is not completed before the construction of the Springton Pointe Pump Station this will be a nightmare (putting heavy equipment vehicles for a long period time where there are young children playing). I understand there is an alternate solution to the SPE Pump Station and that is to install the Pump Station on West Chester Pike at Marville Property which would bypass the SPE residential community. Since the Marville Property is sitting there doing nothing, this appears to be a more viable solution. I am requesting that you would rethink the construction of this pump station in the SPE community.

The repairs to the Gradyville Road bridge will be completed before construction of the sewer lines in Springton Pointe estates. In addition, Stoney Brook Blvd is wide enough to accommodate traffic during construction of the lines. Lastly, construction of the lines down West Chester Pike and Rt. 252, in addition to adding over \$5M to the cost of the project which must be passed on to the system users, will cause far more disruption to the traffic patterns in the community. A pump station will still be required for the SPE community regardless as to whether flow from other portions of the community come through the SPE lines.

Very Truly Yours,


Michael Trio, AICP
Newtown Township Manager

copy: File

Holly Neff

From: Mike Trio
Sent: Thursday, November 15, 2012 8:41 AM
To: Holly Neff
Subject: FW: Act 537 sewer changes

-----Original Message-----

From: rsboxerk9@aol.com [mailto:rsboxerk9@aol.com]
Sent: Thursday, November 15, 2012 8:23 AM
To: Mike Trio
Cc: jcatania@frontlaw.com; gummydoc@aol.com; ed.partridge@verizon.net; janawn64@gmail.com; georgeesq@aol.com; emahoney@state.pa.us
Subject: Act 537 sewer changes

Dear Mr Trio,

When we bought our house in 2000 the treatment facility across our street was supposed to be a temporary solution to the waste problem for the Springton Pointe Estates community until we were to be tied into CDC. At that time we were told that the facility would be retired.

As a temporary industrial neighbor living in this residential community it has been by anyone's standards a very annoying neighbor. There is constant 24 hour a day "buzzing" coming from that vicinity, the constant traffic of small to tractor trailer size trucks accessing the common drive knocking down neighbors mailboxes to almost having to use my driveway to maneuver their trucks to back down the access driveway, alarms, and the occasional flashing red lights has been such a nuisance to the neighbors and this community it is absurd to consider erecting a larger facility in the residential area and not removing what is currently there which was the original plan. It took neighbors over 8 months of phone calls to have aqua fix a problem at the beginning of the access driveway in which the community had to look at a bright orange caution cone for that amount of time.

If we as individual residents of Newtown were to act in this fashion to our neighbors we would be sited for numerous township violations and be scorned by our community. I can only imagine the new neighbor a 336,000 GPD pumping station will bring to our neighborhood having to deal with the problems sited above but on a much higher scale and not taking into consideration any additional problems or mishaps that may occur on that site. This is putting at risk the adults and children of the community. The quantity of water would fill a large swimming pool over 10 times a day. This volume has no business being sent through a residential community.

There are other solutions to this issue that have been proposed which would be less obtrusive to good tax paying residents. I look for your help to remove this bad neighbor from our community in the best way possible for the growth and prosperity of our township.

Thank you for your attention in this matter.

Chris and Rosemarie Schell
23 Stoney Brook Blvd

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BUILDING INSPECTOR

December 27, 2012

Mr. and Mrs. Chris Schell
23 Stoney Brook Blvd.
Newtown Square, PA 19073

Dear Mr. & Mrs. Schell:

The Township is in receipt of your email dated November 15, 2012, raising comments and questions to the proposed Act 537 Plan. Responses are below.

When we bought our house in 2000 the treatment facility across our street was supposed to be a temporary solution to the waste problem for the Springton Pointe Estates community until we were to be tied into CDC. At that time we were told that the facility would be retired.

Under the Plan the treatment facility is to be replaced with a pump station in the early stages of the project.

As a temporary industrial neighbor living in this residential community it has been by anyone's standards a very annoying neighbor. There is constant 24 hour a day "buzzing" coming from that vicinity, the constant traffic of small to tractor trailer size trucks accessing the common drive knocking down neighbors mailboxes to almost having to use my driveway to maneuver their trucks to back down the access driveway, alarms, and the occasional flashing red lights has been such a nuisance to the neighbors and this community it is absurd to consider erecting a larger facility in the residential area and not removing what is currently there which was the original plan. It took neighbors over 8 months of phone calls to have aqua fix a problem at the beginning of the access driveway in which the community had to look at a bright orange caution cone for that amount of time.

The new pump station will require less maintenance than the treatment plant and will not have open pits like the treatment plant. In addition, the Township will take measures to improve conditions including but not limited to an odor control system that will be provided with the pump station; pumps with top of the line motors with variable frequency drives (which also save energy) and submersible pumps, the mechanicals will be enclosed in a small building to minimize noise and the building will be designed to coordinate with the aesthetics of the neighborhood with input from the residents. Further, a pump station will be required even if an alternate route were selected to connect your

community to the system.

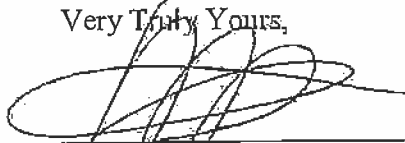
If we as individual residents of Newtown were to act in this fashion to our neighbors we would be sited for numerous township violations and be scorned by our community. I can only imagine the new neighbor a 336,000 GPD pumping station will bring to our neighborhood having to deal with the problems sited above but on a much higher scale and not taking into consideration any additional problems or mishaps that may occur on that site. This is putting at risk the adults and children of the community. The quantity of water would fill a large swimming pool over 10 times a day. This volume has no business being sent through a residential community.

There will be no open pits or pools of water. The waste will be pumped from this location to another pump station at Camelot Drive. The additional flow will not worsen conditions from lesser flow, and in fact, additional flow increases the efficiency of the system.

There are other solutions to this issue that have been proposed which would be less obtrusive to good tax paying residents. I look for your help to remove this bad neighbor from our community in the best way possible for the growth and prosperity of our township.

This is the least disruptive alternative, other than taking no action. Other routes suggested, such as running lines down West Chester Pike and Rt. 252 add over \$5M to the project which must be passed on to the users of the system, and will not be borne solely by the developers.

Very Truly Yours,

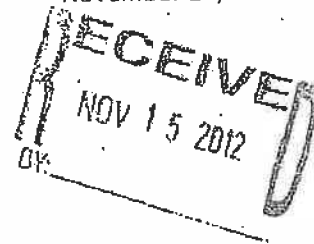


Michael Tino, AICP
Newtown Township Manager

copy: File

Mike Trio, Manager
Newtown Township
209 Bishop Hollow Rd.
Newtown Square, PA 19073

November 15, 2012



Subject: Comments on the 537 Sewer Plan 2012 for Newtown Township

Mr. Trio,

As a Newtown Square homeowner and taxpayer I have the following comments, questions and concerns relating to the latest 2012 modified 537 Sewer Plan. I do appreciate all the hard work you and the Town put into this Plan, getting it to this point for our comments. In summary I disagree with this newly revised 537 Sewer Plan as written, which appears to have major disruptions, ongoing concerns and negative effects to my and all of my neighbors private residential property now and in the future.

The problems and issues I have with this Plan as best as I can understand it, are as follows:

- There have been several complaints from homeowners to the Association and Township regarding the Camelot Pump Station's noise and smells, yet the response in the latest 537 Sewer Plan is a plan to greatly increase the Pump Station flow to include residential and commercial property, which would require increasing the maximum capacity to handle 586,860 GPD of sewage. Our 7-Party sewer agreement describes a design to convey up to a maximum of 330,950 gallons per day. The 2012 Plan requires a Pump Station expansion or addition as noted in the latest Plan with no details.
- Confused how the Camelot Sewer Pump Station can actually exist less than 75 feet from the closest physical house and yet be considered for a 3+ times increase in its current flow. I thought there is a requirement in our Town of any sewer pump station to be at least 200 feet from any residential home?
- With greater gallons planned to pass through Camelot Pump Station #6, we expect the noise will extend over longer hours.
Specifically, how will the Township resolve issues of odors and noise?
- There is the statement in the current Plan that the Station will need to be *modified* but no detailed explanation as to the cost, effect and how in respect to *digging*, adding another station or replacing the current one with a larger one, replacing the piping to Rt. 252 or adding another line, etc. We assume this will require extensive digging down Stoney Brook Boulevard and through our neighborhood to Camelot.
- There is no mention of how the backup generator power source will be increased to handle the larger pump station proposed flow, knowing if there is a power failure the problem, it will be at least 3+ times bigger problem.
- Creates a personal impact as to the value of my home for refinancing and selling in the future, besides daily living.
- There has been a history of groundwater issues in SPW, and there have been groundwater (flooding) problems reported. The SPE treatment plant discharges 35,000 GPD, and the treated sewage goes to seepage beds near Wiltshire. We were told by an engineer that the seepage beds were designed to be a temporary solution. Now, the current 537 Sewer Plan has notes stating the intention of retaining the SPE treatment plant for 5+ years.

- The original plan was to phase out the SPE treatment plant, because of its high cost. In 2010, the treatment plant was costing approximately 4 times more than CDCA, per thousand gallons. Since this will be an aging plant, we can expect maintenance costs to increase.

Therefore, I have the following questions looking for a written response to:

- What are the detailed plans on the modification of Camelot Pump Station #6 to increase it to approximately 3+ times its daily flow, including the expected disruption, increased noise and unpleasant odors to our community at Springton Pointe Woods and potential cost to us?
- There was an alternate solution proposed by Kelly Engineers as part of the prior 537 Plan, to install a pumping station on West Chester Pike at the Marville Property, and then send the sewage down West Chester Pike to Rt. 252. It seems to have made more sense to have commercial sewage to come through industrial and major roads versus private residential neighborhoods, especially when we understood that the builder(s) involved were willing to pay part of the additional cost? Why isn't this plan currently being considered?
- What is the detailed plan to increase the backup generator support for the larger Camelot Pump Station(s)?
- Please explain the advantages in retaining the SPE Plant for 5+ years compared to the disadvantages of the Treatment Plants additional cost, and the additional drainage problems which would remain if the plan is for SPE plant to remain open.

I look forward to the response to these concerns and questions, since I personally am very concerned as to the effect this 537 Sewer Plan 2012 will have on my taxes, house and property value, the potential increase in the bad odors, noise and effect on my health. What I find most confusing is the prior plan doesn't even appear as an alternative, which seems to make the most sense in keeping commercial sewerage down major streets vs. flowing it through private wooded residential communities. I agree with all the other modifications of the latest 537 Sewer Plan such as additional residential sewerage coming through Camelot not requiring additional increase beyond its current rated capacity.

Sincerely,

Kelly and Barker Davis
104 Stoney Brook Blvd
Newtown Square, PA 19073

cc. Elizabeth Mahoney, DEP

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TOWNSHIP MANAGER

RICH SOKORAI, ESQ.
TOWNSHIP SOLICITOR

STANTEC, INC.
TOWNSHIP ENGINEER

BUILDING INSPECTION
UNDERWRITERS, INC.
BUILDING INSPECTOR

December 27, 2012

Kelly & Barker Davis
104 Stoney Brook Blvd.
Newtown Square, PA 19073

Dear Mr. & Mrs. Davis:

In response to your e-mail and letter dated November 15, 2012, below are responses to your questions and comments regarding Act 537 Plan for Newtown Township.

As a Newtown Square homeowner and taxpayer I have the following comments, questions and concerns relating to the latest 2012 modified 537 Sewer Plan. I do appreciate all the hard work you and the Town put into this Plan, getting it to this point for our comments. In summary I disagree with this newly revised 537 Sewer Plan as written, which appears to have major disruptions, ongoing concerns and negative effects to my and all of my neighbors private residential property now and in the future.

The problems and issues I have with this Plan as best as I can understand it, are as follows:

1. There have been several complaints from homeowners to the Association and Township regarding the Camelot Pump Station's noise and smells, yet the response in the latest 537 Sewer Plan is a plan to greatly increase the Pump Station flow to include residential and commercial property, which would require increasing the maximum capacity to handle 586,860 GPD of sewage. Our 7-Party sewer agreement describes a design to convey up to a maximum of 330,950 gallons per day. The 2012 Plan requires a Pump Station expansion or addition as noted in the latest Plan with no details.

Under the Plan, the pump station is to be redesigned to accommodate the additional flow.

The existing pump station is to improved from the existing pump station, including: 1) steady the flow at the pump station will actually work to decrease the detention time of sewage in the wet well which reduces the potential for odors; 2) The Township intends to install an odor control system that will be provided with the modified pump station; and 3) the Township intends to use superior pumps than those currently used, with variable frequency drives (which also save energy) and submersible pumps, all of which will serve to improve current conditions while at

the same time increasing flow. Lastly the Township intends to work with the residents to ensure the pump station is aesthetically consistent with the surrounding neighborhood.

2. Confused how the Camelot Sewer Pump Station can actually exist less than 75 feet from the closest physical house and yet be considered for a 3+ times increase in its current flow. I thought there is a requirement in our Town of any sewer pump station to be at least 200 feet from any residential home?

There is no 200 foot requirement. In addition, a pump station already exists at this location.

3. With greater gallons planned to pass through Camelot Pump Station #6, we expect the noise will extend over longer hours.
4. Specifically, how will the Township resolve issues of odors and noise?

Please see the answer to No. 1 above.

5. There is the statement in the current Plan that the Station will need to be modified but no detailed explanation as to the cost, effect and how in respect to digging, adding another station or replacing the current one with a larger one, replacing the piping to Rt. 252 or adding another line, etc. We assume this will require extensive digging down Stoney Brook Boulevard and through our neighborhood to Camelot.

Specifics related to the configuration and components of the pump station modification will be finalized during design and bidding of the system. It appears that the existing forcemain is adequate to handle the additional flow anticipated without need for replacement or providing an additional line in Camelot Lane to Rt. 252. However, a larger line will be needed in Stoney Brook Boulevard from Bishop Hollow Road to the location of the proposed pump station replacing the WWTP. Extending the line eastward down West Chester Pike and then southward down Rt. 252 would be far costlier.

6. There is no mention of how the backup generator power source will be increased to handle the larger pump station proposed flow, knowing if there is a power failure the problem, it will be at least 3+ times bigger problem.

Replacement or modification of the existing generator at the Camelot Pump Station has been considered and specifics will be determined during design and bidding of the system. Further, the pump station will have alarms and redundancy.

7. Creates a personal impact as to the value of my home for refinancing and selling in the future, besides daily living.

See No. 1 above.

8. There has been a history of groundwater issues in SPW, and there have been groundwater (flooding) problems reported. The SPE treatment plant discharges 35,000 GPD, and the treated sewage goes to seepage beds near Wiltshire. We were told by an engineer that the seepage beds were designed to be a temporary solution. Now, the current 537 Sewer Plan has notes stating the intention of retaining the SPE treatment plant for 5+ years.

This Plan proposes to decommission the WWTP and replace it with a pump station within five years.

9. The original plan was to phase out the SPE treatment plant, because of its high cost. In 2010, the treatment plant was costing approximately 4 times more than CDCA, per thousand gallons. Since this will be an aging plant, we can expect maintenance costs to increase.

This Plan proposes to decommission the WWTP and replace it with a pump station within five years.

Therefore, I have the following questions looking for a written response to:

10. What are the detailed plans on the modification of Camelot Pump Station #6 to increase it to approximately 3+ times its daily flow, including the expected disruption, increased noise and unpleasant odors to our community at Springton Pointe Woods and potential cost to us?

Please see response to No. 1 and 5 above.

11. There was an alternate solution proposed by Kelly Engineers as part of the prior 537 Plan, to install a pumping station on West Chester Pike at the Marville Property, and then send the sewage down West Chester Pike to Rt. 252. It seems to have made more sense to have commercial sewage to come through industrial and major roads versus private residential neighborhoods, especially when we understood that the builder(s) involved were willing to pay part of the additional cost? Why isn't this plan currently being considered?

The Plan is approximately \$5M less costly to the residents and Township compared to the running lines down West Chester Pike and /Route 252. The Camelot Pump Station currently handles residential and commercial sewage. The increased cost would not be borne solely by the developers but by all users of the system.

What is the detailed plan to increase the backup generator support for the larger Camelot Pump Station(s)?

Please see No. 6 above.

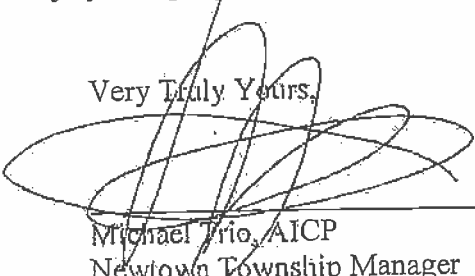
Please explain the advantages in retaining the SPE Plant for 5+ years compared to the disadvantages of the Treatment Plants additional cost, and the additional drainage problems which would remain if the plan is for SPE plant to remain open.

The Plan replaces the SPE plant with a pump station within 5 years.

I look forward to the response to these concerns and questions, since I personally am very concerned as to the effect this 537 Sewer Plan 2012 will have on my taxes, house and property value, the potential increase in the bad odors, noise and effect on my health. What I find most confusing is the prior plan doesn't even appear as an alternative, which seems to make the most sense in keeping commercial sewerage down major streets vs. flowing it through private wooded residential communities. I agree with all the other modifications of the latest 537 Sewer Plan such as additional residential sewerage coming through Camelot not requiring additional increase beyond its current rated capacity.

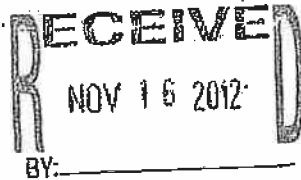
The Plan will have no effect on your taxes. Your sewer fees will be far less under this alternative than the one you suggest. See response No.1 regarding noise and smell. See Response No. 11 why your proposed route is not an acceptable alternative.

Very Truly Yours,



Michael Trio, AICP
Newtown Township Manager

copy: File



November 15, 2012

Denise DelPizzo Braud
136 Camelot Lane
Newtown Square, PA 19073
Email: dde196@aol.com

Mike Trio, Manager
Newtown Township
209 Bishop Hollow Rd.
Newtown Square, PA 19073

Re: 537 Sewer Plan

Dear Mr. Trio,

Camelot Lane is a small closed street of townhomes, bordered by trees on one side and a protected creek on the other, with a usually empty retention pond at the end. This tranquil setting is a haven for the occupants, residents and wildlife alike. My home is directly across from the current substation on Camelot Lane. If I back out of my driveway, I will back directly into theirs. Over the years, my family has dealt with the sight (which should have been masked by evergreens) and the smell (which can be potent at times), and been a good neighbor to this necessary part of our community. The latest 2012 537 Sewer Plan, however, asks for more....much, much more.

- You are asking us to embrace a proposal that would nearly double the maximum capacity of the existing facility as well as add commercial waste (including the possibility of chemicals) to the mix.
- The Plan requires a Pump Station, which cannot possibly be the necessary 200 feet from the closest house – mine.
- Our community has a history of groundwater problems. My own home has not fully recovered from a catastrophic flood in 2008. The current seepage beds near Wiltshire certainly couldn't handle an increased discharge. Where is this additional water expected to go?
- In the wake of Superstorm Sandy, power outage is a real concern. What kind of back-up is proposed for ANY size station on our little street?
- I am disabled. My husband and I both suffer with severe chronic lung conditions. When the station is spewing, we cannot go outside. What will happen if you increase the capacity?
- There are already several homes for sale on Camelot in this tough market. Would you buy mine, if you knew of this plan?

Yes, this plan might be the most efficient. No, it is not the best one or the right one. Please consider the people involved.

Sincerely yours,

Denise DelPizzo Braud

cc. Elizabeth Mahoney, DEP

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MICHAEL TRIO, AICP
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BUILDING INSPECTION
UNDERWRITERS, INC.
BUILDING INSPECTOR

December 27, 2012

Ms. Denise DelPizzo Braud
136 Camelot Lane
Newtown Square, PA 19073

Dear Ms. Braud:

In response to your letter dated November 15, 2012 below are responses to your questions and comments regarding Act 537 Plan for Newtown Township.

Camelot Lane is a small closed street of town homes, bordered by trees on one side and a protected creek on the other, with a usually empty retention pond at the end. This tranquil setting is a haven for the occupants, residents and wildlife alike. My home is directly across from the current substation on Camelot Lane. If I back out of my driveway, I will back directly into theirs. Over the years, my family has dealt with the sight (which should have been masked by evergreens) and the smell (which can be potent at times), and been a good neighbor to this necessary part of our community. The latest 2012 537 Sewer Plan, however, asks for more much, much more.

The existing pump station is to be improved from the existing pump station, including: 1) steady the flow at the pump station will work to decrease the detention time of sewage in the wet well which reduces the potential for odors; 2) The Township intends to install an odor control system that will be provided with the modified pump station; and 3) the Township intends to use superior pumps than those currently used, with variable frequency drives (which also save energy) and submersible pumps, all of which will serve to improve current conditions while at the same time increasing flow. Lastly the mechanicals will be enclosed in a small building and the Township intends to work with the residents to ensure the pump station is aesthetically consistent with the surrounding neighborhood.

- You are asking us to embrace a proposal that would nearly double the maximum capacity of the existing facility as well as add commercial waste (including the possibility of chemicals) to the mix.

The existing pump station already handles commercial sewage (Springtown Pointe Woods Shopping Center, Newtown Grill, Sunrise Senior Assisted Living, Swim Club, and others tributary to the Hickory Lane Pump Station (CVS, Uno Chicago

Grill, Cadillac dealership). Further, there are sewage discharge guidelines and standards which must be met. Further, the modifications to the pump station discussed in No. 1 will improve conditions.

- The Plan requires a Pump Station, which cannot possibly be the necessary 200 feet from the closest house -mine.

The Plan replaces the existing pump station. It is no closer to your home. Plus community input will be sought to design the pump station in an aesthetically consistent manner to the neighborhood. There is no necessary 200 feet distance.

- Our community has a history of groundwater problems. My own home has not fully recovered from a catastrophic flood in 2008. The current seepage beds near Wiltshire certainly couldn't handle an increased discharge. Where is this additional water expected to go?

There is no increased local water discharge from the Plan. The Waste will be pumped to a remote location for treatment.

- In the wake of Superstorm Sandy, power outage is a real concern. What kind of back-up is proposed for ANY size station on our little street?

The pump station will be equipped with backup generators, redundancy and alarms if there is problem.

- I am disabled. My husband and I both suffer with severe chronic lung conditions. When the station is spewing, we cannot go outside. What will happen if you increase the capacity?


Please see the response to No. 1.

- There are already several homes for sale on Camelot in this tough market. Would you buy mine, if you knew of this plan?

The Plan does not have a deleterious (an adverse) effect on marketability.

Yes, this plan might be the most efficient. No, it is not the best one or the right one. Please consider the people involved.

Very Truly Yours,



Michael Trio, AICP
Newtown Township Manager

copy: File



Hunters Run Owners Association, Inc.



November 15, 2012

Newtown Township Board of Supervisors
Attn: Mike Trio, Township Manager
209 Bishop Hollow Rd.
Newtown Square, PA 19073

Re: Act 537 Plan Review Comments
Hunters Run Community

Dear Mr. Trio,

Enclosed are comments received from our Engineer regarding the review of the Act 537 Plan for Hunters Run which we are submitting as requested.

Very truly yours,

George Chittenden, Board Member
Hunters Run Owners Association



Hunters Run Owners Association, Inc.

November 14, 2012

Mr. Michael Trio, AICP
Newtown Township Manager
209 Bishop Hollow Road
Newtown Square, PA 19073

**RE: Public Comments
Newtown Township ACT 537 Plan**

Dear Mr. Trio:

This letter is in response to the Public Notice for the Newtown Township Official Act 537 Plan/Executive Summary Dated October 2012. The Homeowners Association of Hunters Run has prepared the following list of questions, comments, and concerns regarding the overall financial impacts to the residents of Hunters Run.

1. What are the current Tap-in fees and Annual user fees?
2. Are the current Tap-in fees based on one (1) individual dwelling equals one (1) tap in fee? Or are the Tap-in fees based on 262.5 gallons equals one (1) Tap-in fee?
3. Can a different method of calculating the Tap-in fees and sewer user fee be established based on the historical water usage data for the Hunters Run Development?
4. What is the proposed method of billing for the Hunters Run Development? Will it be monthly, quarterly or yearly?
5. Will the sewer usage fees for the Hunters Run Development be charged based on their water meter readings or fixed rate per dwelling? Can this be negotiated in the future?
6. The Act 537 Plan indicates that "Hunters Run is scheduled to receive public sewers, via retiring and abandoning the existing system and installing a gravity line to the facilities in Stoney Brook Boulevard."
 - A. Please clarify what portions of the existing system are to be abandoned and what portions are to remain.
 - B. Is it the responsibility of Hunters Run Homeowners Association or the Township to have the Hunters Run system abandoned?

November 14, 2012

Mr. Michael Trio, AICP, Township Manager

RE: Newtown Township ACT 537 Plan

Page 2 of 2

- C. Has an evaluation been conducted to determine if a gravity sewer line can be installed from Hunters Run to the facilities in Stoney Brook Boulevard? Is there a potential that a Pump Station or Low Pressure Sewer System may need to be installed to provide public sewer to the Hunters Run Development?
- D. Whose responsibility is it to engineer and install the proposed gravity sewer line to serve Hunters Run?
- E. Will easements need to be obtained from adjacent property owners to allow for the installation of the proposed gravity sewer? If easements are needed is it the responsibility of the Township or Hunters Run Homeowners Association to obtain the easements?
- F. What portions of the proposed gravity sewer to serve Hunters Run will be owned and maintained by the Township?
- G. Will the Township own and maintain the existing collection system within the Hunters Run development or only the proposed new gravity sewer system?
- 7. How is the proposed tap-in fee to be paid? Will each resident need to pay the full amount upon connection to the public sewer system or will the costs be paid over time as part of their sewer bill?
- 8. What costs, if any, associates with the downstream work in Stoney Brook Boulevard, Pump Stations 5 and 6 are the responsibility of Hunters Run.
- 9. The Construction Cost Estimate for Camelot P.S. Service Area Opt 1, which includes some work associated with the Hunters Run Development, show a total cost of \$2,394,407.50. How is it proposed that the costs associated with this work be funded? Does the Tap-in fee of \$4,000 to \$6,000 included the funds necessary for this work or will additional costs to Hunters Run be incurred?

Very truly yours,

Hunters Run Homeowners Association



cc: Ms. Elizabeth Mahoney, Pennsylvania Department of Environmental Protection

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TOWNSHIP SOLICITOR

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TOWNSHIP ENGINEER

BUILDING INSPECTION
UNDERWRITERS, INC.
BUILDING INSPECTOR

December 27, 2012

Mr. George Chittenden
Hunters Run Owners Association, Inc.
83 Hunters Run
Newtown Square, PA 19073

Dear Mr. Chittenden:

In response to your letter dated November 15, 2012 below are responses to your questions and comments regarding Act 537 Plan for Newtown Township.

This letter is in response to the Public Notice for the Newtown Township Official Act 537 Plan/Executive Summary Dated October 2012. The Homeowners Association of Hunters Run has prepared the following list of questions, comments, and concerns regarding the overall financial impacts to the residents of Hunters Run.

1. What are the current Tap-in fees and Annual user fees?

Exact costs will not be known until the system is designed and bid. However, the tap-in fee is estimated to be \$6,000 at this time and the average sewer rents are estimated to initially be \$574 to \$750.

2. Are the current Tap-in fees based on one (1) individual dwelling equals one (1) tap in fee? Or are the Tap-in fees based on 262.5 gallons equals one (1) Tap-in fee?

One dwelling equals one tap-in fee. For planning purposes, some residences are estimated at a lower gallons rate per day, but the tap-in fee remains the same.

3. Can a different method of calculating the Tap-in fees and sewer user fee be established based on the historical water usage data for the Hunters Run Development?

Tap-in fees are based on the cost of the infrastructure of the system and are calculated in accordance with the Municipality Authorities Act 53 Pa.C.S.A. §5607 and is not based on water usage, historical or otherwise. Metered water usage for each individual home will determine the actual user fee for each home.

4. What is the proposed method of billing for the Hunters Run Development? Will it be monthly, quarterly or yearly?

Current practice is to bill yearly, although this may change.

5. Will the sewer usage fees for the Hunters Run Development be charged based on their water meter readings or fixed rate per dwelling? Can this be negotiated in the future?

It is anticipated that the fees will be based on individual meter readings. These fees are not negotiable, they are the based the costs of operating and maintaining the system.

6. The Act 537 Plan indicates that "Hunters Run is scheduled to receive public sewers, via retiring and abandoning the existing system and installing a gravity line to the facilities in Stoney Brook Boulevard."

- A. Please clarify what portions of the existing system are to be abandoned and what portions are to remain.

More specific details will be available when the system is actually designed, but generally speaking the collection system will remain, but will tie into the line on Stoney Brook Road rather than being discharged on site. The existing treatment plant will be retired.

- B. Is it the responsibility of Hunters Run Homeowners Association or the Township to have the Hunters Run system abandoned?

The Hunters Run Homeowners Association.

- C. Has an evaluation been conducted to determine if a gravity sewer line can be installed from Hunters Run to the facilities in Stoney Brook Boulevard? Is there a potential that a Pump Station or Low Pressure Sewer system may need to be installed to provide public sewer to the Hunters Run Development?

An evaluation has been conducted and it is anticipated that gravity will suffice.

- D. Whose responsibility is it to engineer and install the proposed gravity sewer line to serve Hunters Run?

The Newtown Municipal Authority.

- E. Will easements need to be obtained from adjacent property owners to allow for the installation of the proposed gravity sewer? If easements are needed is it the responsibility of the Township or Hunters Run Homeowners Association to obtain the easements?

Easements are required from any property owner on whose property construction will occur or infrastructure will be placed. Any easements will be the responsibility of the

Township and/or Municipal Authority.

- F. What portions of the proposed gravity sewer to serve Hunters Run will be owned and maintained by the Township?

The Municipal Authority only intends to take dedication of, and maintain, the lines that tie the existing Hunter's Run System into the Stoney Brook Boulevard line.

- G. Will the Township own and maintain the existing collection system within the Hunters Run development or only the proposed new gravity sewer system?

The Newtown Township Municipal Authority does not intend to own or maintain the existing collection system.

7. How is the proposed tap-in fee to be paid? Will each resident need to pay the full amount upon connection to the public sewer system or will the costs be paid over time as part of their sewer bill?

The Township is considering allowing the tap-in fee to be phased in based on input from the future users and advice of the bond consultant.

8. What costs, if any, associates with the downstream work in Stoney Brook Boulevard, Pump Stations 5 and 6 are the responsibility of Hunters Run.

The overall cost of the system is shared by all future users not currently connected to public sewer and will be shared via the common tap-in fee and in the sewer user rates.

9. The Construction Cost Estimate for Camelot P.S. Service Area Opt 1, which includes some work associated with the Hunters Run Development, show a total cost of \$2,394,407.50. How is it proposed that the costs associated with this work be funded? Does the Tap-in fee of \$4,000 to \$6,000 included the funds necessary for this work or will additional costs to Hunters Run be incurred?

The work is to be funded through a bond obtained by the Municipal Authority. The debt service will ultimately be paid by tap-in fees and user fees s by all new users.

Very Truly Yours,

Michael Trio, AICP
Newtown Township Manager

copy: File

Mr. and Mrs. Joseph P. Clancy
4 Mill Court
Newtown Square, PA 19073



November 15, 2012

Township of Newtown
209 Bishop Hollow Road
Newtown Square, PA 19073

Attn: Mr. Michael Trio
Township Manager

Re: 2012 Newtown Township Act 537
Submission (Sewer Changes)

Dear Mr. Trio:

We oppose the above mentioned plan and request that you please use the alternative option of installing the pumping station on West Chester Pike at the Marville Property (near Mostardi's) and then sending the sewage down West Chester Pike to Route 252.

Sincerely,

Joe and Andrea Clancy
Joseph and Andrea Clancy

cc: Elizabeth Mahoney

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BUILDING INSPECTION
UNDERWRITERS, INC.
BUILDING INSPECTOR

December 27, 2012

Mr. & Mrs. Joseph P. Clancy
4 Mill Court
Newtown Square, PA 19073

Dear Mr. & Mrs. Clancy:

In response to your letter dated November 15, 2012 below are responses to your questions and comments regarding Act 537 Plan for Newtown Township.

We oppose the above mentioned plan and request that you please use the alternative option of installing the pumping station on West Chester Pike at the Marville Property (near Mostardi's) and then sending the sewage down West Chester Pike to Route 252.

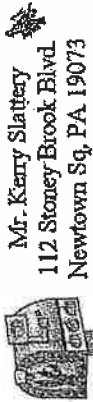
Running lines down West Chester Pike to Route 252 would add over \$5M to the cost of the project which must be passed to the users. In addition, that Route would be significantly more disruptive to the entire community.

Very Truly Yours,

A handwritten signature in black ink, appearing to read "Michael Trio", is written over a horizontal line.

Michael Trio, AICP
Newtown Township Manager

copy: File



Mr. Kerry Slattery
112 Stoney Brook Blvd
Newtown Sq, PA 19073

Subject: sewer plan

Date: Thu, Nov 15, 2012 6:23 pm

112 Stoney Brook Blvd

Newtown Square, PA 19073

November 15, 2012

Mike Trio, Manager
Newtown Township
Newtown Square, PA 19073

Subject: 537 Sewer Plan

Dear Mr. Trio,

I disagree with this NEWLY revised plan to run sewer and use old pump made for Toll Brothers Development {originally} in Springton Pointe Woods.

We know that there was another solution proposed by Kelly Engineers. That plan seems to make more sense to have commercial sewage, to come through industrial roads and major roads versus private residential neighborhoods. Why isn't the Kelly Engineer plan down West Chester Pike being considered? The pump house in my neighborhood sits in WETLANDS and was continually surrounded by water since the beginning of the housing constructions. I walked in it when out for a walk and didn't know what it was to become in 2000-2001. We have been misled and unfairly "used" since moving to this spot (road opened that was on plans to be dead end, speed bumps removed, and blinding street lights elevated on cement).

This new project is the most dangerous and unsettling for day to day peace of mind.

Sincerely,

Margaret Young Slattery

CC Elizabeth Mahoney DEP

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TOWNSHIP SOLICITOR

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TOWNSHIP ENGINEER

BUILDING INSPECTION
UNDERWRITERS, INC.
BUILDING INSPECTOR

December 27, 2012

Mr. Kerry Slattery
112 Stoney Brook Blvd.
Newtown Square, PA 19073

Dear Mr. Slattery:

In response to your letter dated November 15, 2012, below are responses to your questions and comments regarding Act 537 Plan for Newtown Township.

I disagree with this NEWLY revised plan to run sewer and use old pump made for Toll Brothers Development {originally} in Springton Pointe Woods. We know that there was another solution proposed by Kelly Engineers. That plan seems to make more sense to have commercial sewage to come through industrial roads and major roads versus private residential neighborhoods. Why isn't the Kelly Engineer plan down West Chester Pike being considered? The pump house in my neighborhood sits in WETLANDS and was continually surrounded by water since the beginning of the housing constructions. I walked in it when out for a walk and didn't know what it was to become in 2000-2001! We have been misled and unfairly "used" since moving to this spot (road opened that was on plans to be dead end, speed bumps removed, and blinding street lights elevated on cement). This new project is the most dangerous and unsettling for day to day peace of mind.

The Plan is the work of new planning professionals retained by the Township to develop the best system for the entire community. Running lines down West Chester Pike and Route 252 would add over \$5M to the cost of the system that must be passed to the new users and will not be borne entirely by the developers. The system design will be sensitive to all environmental concerns and the alternative route you suggest has its own environmental concerns.

Very Truly Yours,

Michael Trio, AICP
Newtown Township Manager

copy: File

Homeowners



Association

November 15, 2012

Mr. Michael Trio
Township Manager
209 Bishop Hollow Road
Newtown Square, PA 19073

Subject: *Public Comments Pursuant to Title 25 Pa. code §71.31. With respect to the Act 537 Official Plan Revision of Newtown Township, Delaware County Sewerage Facilities Plan Update for Newtown Township dated October 2012.*

I. General Comments Regarding Planning South of West Chester Pike:

The pipe routes and flow path described in the plan that convey effluent from Newtown-Edgemont Border to its eventual discharge at the terminus C.D.C.A. Manhole is problematic for the following reasons.

- A. Costs & Expenses:** The proposed route will cost the system users the expense of installing regional pump stations, in remote areas, with the added expense of the Springton Pointe Estate Pump Station (No.5), its associated forcemain, the upgrades to Camelot P.S. (No.6) and its forcemain. The constructability of this system will be challenging, as a large portion of this infrastructure will be installed outside the physical cartway, in areas that are environmentally sensitive and difficult to reach by construction equipment. Additionally, sewer infrastructure is proposed to be installed along watercourses and floodplain boundaries.

Question One (1): *Why has the Township not explored the cost differences between installing forcemains along the West Chester Pike and Route 252 Corridor in lieu of the proposed path as shown on the Plan?*

Question Two (2): *Have the construction estimates taken into account the difficulty of construction the system as proposed? It does not appear that the removal of trees, deeper gravity lines or working in flood prone areas or steep slopes have been considered in these estimates. Additionally, the added time to construct these systems will add to expense of the project.*

Question Three (3): *Have these costs been determined?*

- B. Regarding the Route to be Followed by the New Collection System:** The last draft iteration of the 537 Plan called for the new commercial and residential users to have sewage collected and then sent east along West Chester Pike and then south along Route 52 and then on toward the C.D.C.A. system. The present plan abandons that route for the new sewage and instead brings approximately 337,000 gallons of primarily commercial waste through the Springton Pointe Estates development and into a proposed new pump station to be built beside the existing Springton Pointe Waste Water Treatment Plant.

Question Four (4): *Why was the earlier route abandoned?*

- C. Regarding the Plan's Scheme to Retain the SPWWTP rather than send the Springton Pointe flow to the C.D.C.A. System:** The Township's 537 Plan, dated May 2007 - supplemented in 2008 and approved by DEP Feb. 2009 (the "2007 Plan"), called for the SPWWTP to be converted to a Pump Station (Pump Station 3) so that the sewage flow from the Springton Pointe Estates development would be sent to the C.D.C.A. system. The Consent Order and Agreement between the Township and DEP called for some departures from the 2007 Plan - but the SPWWTF conversion is not specifically mentioned as a Plan element to be changed. However, now, under the proposed Plan, the conversion is being abandoned and the SPWWTP is contemplated to remain in operation. Both 25 Pa. Code § 71.21 and the DEP's *Act 537 Plan Content and Environmental Assessment Checklist* call for full assessment of current and alternative sewage facilities, both from a functional and economic perspective.

With the foregoing in mind, the following comments/questions are submitted:

Question Five (5): *For what reason or reasons was it determined that the Plan would call for keeping the SPWWTP operative rather than converting it to a pump station and sending the sewage flow from the Springton Pointe Estates development sent to the C.D.C.A. system.*

Question Six (6): *What evaluation was made of the existing SPWWTP (including its fields) with respect to:*

- a. its current and future functioning and efficiency;*
- b. the timing, nature, and cost of ongoing maintenance and capital improvements to be required by the SPWWTP.*

Question Seven (7): *What will be the current and future cost impact to the residents of Springton Pointe Estates of maintaining the SPWWTP in service rather than converting it to a pumping station and sending the development's flow to the C.D.C.A. system?*

D. Easements: The proposed routes will require easements to which neither the Authority, nor the Township currently have rights of access or utility installation. The acquisition of these easements will require considerable legal, engineering and administration costs. Additionally, the easements will most likely adversely affect the resale value of the properties across which they lie. The easement across the Springton Pointe Property to the Camelot Pump Station has a limited area, with no practical room to install a regional pump station.

Question Eight (8): *Has the Township given consideration to how much these easements will cost to obtain?*

Question Nine (9): *Does the five percent allocation in the cost estimates also include the cost for the compensation of the fair market value of the easement? Explain how five percent is used across all the estimates, whereas there are varying numbers of easements for each portion of the project.*

Question Ten (10): *How does the Township intend on constructing the Springton Pointe Pump Station, given the limited area described by the easement for the existing WWTP?*

E. Regarding the Location of Proposed Pump Station No. Five ("Springton Pointe"): The existing Springton Pointe Waste Water Treatment Plant ("SPWWTP") is situated on a rectangular parcel which is only 65 feet by 130 feet. The SPWWTP presently covers virtually all of that parcel. The parcel is surrounded on 3 sides by lands dedicated to the Springton Pointe Estates Homeowners Association ("HOA") for stormwater management. Much of that HOA land is wetland area. On its 4th side, the SPWWTP parcel is adjacent to a narrow shared driveway providing road access to the WWTP as well as 2 homes (lots 117 & 118). Neither Newtown Township (the "Township") nor the Newton Township Municipal Authority (the "Authority") are known to own (or hold easements on) any additional land near the SPWWTP parcel and there seems to be no portion of the SPWWTP parcel available to accommodate a Pump Station in addition to the WWTP.

Question Eleven (11): *The Plan does not precisely provide the location for Proposed Pump Station No. Five ("Springton Pointe"). Where specifically does the Township propose to place Proposed Pump Station No. Five ("Springton Pointe")? What other locations, if any, were considered or remain under consideration?*

Question Twelve (12): *With respect to the proposed location for Proposed Pump Station No. Five ("Springton Pointe"), what land is currently available to the Township or Authority to serve as the location site? How is that land available? Please detail whether the land is owned, leased, or under easement by the Township or the Authority, or explain*

how it is otherwise subject to municipal control. Please also identify any contemplated eminent domain action.

Question Thirteen (13): Does the Township believe that the Township or Authority hold any easements over property in the Springton Pointe Estate development which easements may be employed in connection with facilities contemplated by the Plan? If so, please identify those easements, the specific property they burden, and detail what facilities it is contemplated they may serve.

Question Fourteen (14): What are the expected dimensions of the Proposed Pump Station No. Five ("Springton Pointe")?

Question Fifteen (15): How, if at all, is the SPEHOA's retainage Basin A on lands surrounding the SRWWTP expected to be impacted?

Question Sixteen (16): It is not clear from the Plan how homes and residents in Springton Pointe Estates, particularly those in the vicinity of the SPWWTP, will be impacted by noise, odor, increased shared driveway usage, and activity relating to the Proposed Pump Station No. Five ("Springton Pointe"). What assessment was performed in that regard, what impact is possible, and what ameliorative steps are contemplated?

F. Environmentally: The plan will result in the disturbance of sensitive areas, such as wetlands, floodplains, wooded areas, steeply sloping lands, areas with shallow ground water soils, riparian areas and areas with old growth trees.

During earlier design concepts of 537 Planning, the installation of a new forcemain between the Springton Point Estates WWTP and the Camelot Pump Station was abandoned. The area warranted additional field surveys to clear environmentally sensitive plants and wildlife, which ultimately led us to re-consider any infrastructure through these areas.

Any potential stream crossing (General Permit No.5) will have to execute a "Bog Turtle Screen Form" as a matter of the course of review by the DCCD, regardless of any result from PNDI.

We believe that the proposed forcemain shown in the MacCombie plans will ultimately be stopped by environmental agencies for the same reasons that we abandoned those concepts.

Question Seventeen (17): Has the Township done any field studies to verify the location of wetlands in these areas?

Question Eighteen (18): What is the Township's plan for the proposed forcemain route when the field survey reveals the presence of the endangered or threatened species of concern? Is an alternate route proposed?

It is almost impossible to determine how many trees will be affected by the proposed pipe routing. Since the proposal describes a gravity line from West Chester Pike, to the rear of the Olde Master Property, intense and destructive construction techniques will be necessary to install deep gravity mains.

Question Nineteen (19): *Does the Township have any estimate as to how many trees will be lost for this construction? Does the Township have any concept of the cost of the removal of these trees? Does the Township have any concept of the impact of the loss of these trees on the surrounding ecology?*

The proposal will also call for the installation of lines under the existing watercourse behind the Florida Park area.

Question Twenty (20): *Has the Township accurately depicted the Floodplain elevation on the plans? The plans currently show houses along Guinevere and Excalibur Drive within the floodplain. How can the Township be satisfied that the floodplain lines are accurate?*

Question Twenty-One (21): *Has the Township confirmed the datum from the topographic information found on the "Appendix F" and associated plans match with the datum of the FEMA maps?*

G. Mechanically: The proposal describes the installation of a new ten (10) inch gravity main down Campus Boulevard and through Stoney Brook Boulevard. The proposal does not describe how, or if the existing eight (8) inch or existing (12) inch lines will be used or abandoned. Potentially, three gravity lines will traverse the Campus-Stoney Brook Boulevard roadways. Additionally, the mains will be required to install very deeply, since the low point is the cartway is at the intersection of Bishop Hollow Road and Stoney Boulevard.

Question Twenty-Two (22): *Why is the Township proposing an additional gravity line along Stoney Brook Boulevard roadway, which currently contains two gravity mains?*

The proposal will require upgrades to the Camelot Pump Station, which is an idea which has been proposed, explored and eventually abandoned during the five years since Newtown became a member of C.D.C.A.

The original design of the Camelot Pump Station included (as described in the plan set and Part II permit for Camelot) the flow from Hunter's Run, as well as Springton Pointe Estates. Flow was not included, from Campus Boulevard, but analysis revealed that the addition of that flow would not require system upgrades, but would increase the run time of Pump Station. There are several drawbacks to upgrading the pump station. Namely, it is unclear if the proposal intends to increase the size of the existing forcemain or not. Potential upgrades would cause a disruption to the existing neighborhood, as the installation of new

equipment (and potentially a new forcemain) would require that the roadway be dug up and repaired after construction. Moreover, it is unclear, if any of the existing equipment would be used or be abandoned.

Question Twenty-Three (23): *Has the Township considered alternatives that do not route flow through the Camelot Pump Station?*

H. Time of Construction: The permitting for stream crossings will add months (if not years) to the proposal. Detailed wetland delineations, as well as the determination of the habitat of the threatened or endangered plants and wildlife will need to be assessed. Delaware County is one of the thirteen (13) Counties on the General Permit Five (5) roster of areas which are known to contain Bog Turtle habitat. Additional time will be needed for the removal of trees, and the installation of lines and pump station in remote areas. Since the author of the plan states that wetlands studies and detailed environmental clearances will be handled on a case-by-case basis, delays of time will most likely be seen in the event that there are unresolvable environmental clearances.

Question Twenty-Four (24): *Would not a less time consuming option be appropriate given consideration to the fact that previous 537 efforts sought to minimize stream crossings and disturb environmentally sensitive areas?*

I. Regarding the Issue of Buffer Areas: The Township has made representations that best efforts will be made to keep sources to improvements at least 400 feet from any residential property line. That commitment is being kept with respect to residential areas other than the Springton Pointe Estates development (e.g. Echo Valley). In fact, in certain neighborhoods, a 700 foot setback is being maintained. Unlike those other residential areas, at the proposed location of the new pump station No. 5 will be within 200 feet of the residence of a Springton Pointe Estates property owner.

Previous drafts of the Plan stated that "all pump stations are to be . . . a minimum of four hundred (400) feet away from property lines or residences to the maximum extent practicable".

Question Twenty-Five (25): *Will the Springton Pointe Pump Station No. Five be positioned a minimum of 400 feet from all property lines or residences in the Springton Pointe Estates development?*

Question Twenty-Six (26): *If not, why is the 400 foot buffer area not being maintained with respect to Springton Pointe Estates?*

J. Regarding the Division of Risk: By accumulating 337,000 gallons of sewage and concentrating it at the Springton Pointe Estates pump station, rather than distributing the

collection in other locations, the risk of a problem with the septic system is being concentrated at Springton Pointe Estates without any proper division of the risk.

Question Twenty-Seven (27): *Why is that?*

II. General Comments Regarding the Act 537 Plan

A. Easements: It is difficult to determine how many easements will be required to proceed with this project as describe in the act 537 Plan. The scale of the mapping makes it difficult to discern precisely how many easements will be required to facilitate this project.

Question Twenty-Eight (28): *Does the Township know, definitively, how many easements will be required for this project?*

By our count:

Hunt Valley Circle:	Six (6)
Echo Valley Development:	Twelve (12)
Goshen Road Area:	Zero (0)
Boot Road Area:	Eight (8)
Marville Properties:	Six (6)
Olde Masters:	Four (4)
Garret Williamson Properties:	One (1)
Newtown Corporate Campus:	Two (2)
Florida Park Service Area:	Sixty-One (61)
Hunter's Run Area:	Two (2)
Stoney Brook Boulevard:	Three (3)
Springton Pointe Estates:	One (1)
Springton Pointe Woods:	One (1)
<hr/>	
Total Easements:	107

The easement described from Hunt Valley Circle to "Willow Hollow" (aka "Stub E") in Echo Valley is not a public right-of-way as described on page four (4) of the executive summary. The easement along "Willow Hollow" (aka "Stub E") lane was prepared to provide water service to Hunt Valley Circle.

Question Twenty-Nine (29): *Does the Township know who owns the land between Echo Valley and Hunt Valley Circle?*

As part of base-planning, PADEP has typically asked to see proof of easement acquisition prior to approving Act 537 Plans.

Question Thirty (30): *Has the Township approached PADEP with regard to whether or not they want proof of Implementability, as far as rights or ownership of easements?*

Question Thirty-One (31): *Has the Township approached any of the affected property owners regarding the easements?*

Question Thirty-Two (32): *What alternatives has the Township considered in lieu of 107 easements?*

Question Thirty-Three (33): *Does the Township have any estimate as to the cost of 107 easements?*

B. Environmental Clearances

Appendix M describes that a "Large Project" PNDI study was submitted for this application.

The application reads: "The area to be impacted will be evaluated on a case-by-case basis as specific projects commence. Each specific project will need to address potential environmental impacts specifically related to that particular project such as PNDI searches, wetlands delineations, general permits, and /or erosion and sediment pollution control and NPDES permitting, etc., as application."

However, we have experienced that although the environmental agencies may allow the "Large Project" approach to base planning, the PADEP 537 reviewers will want more detail for each area of the project.

Question Thirty-Four (34): *Has the Township contacted PADEP to determine if the "Large Project" approach will be adequate?*

Additionally, the U.S. Fish & Wildlife letter, dated July 11, 2012 which is part of "Attachment M" to the PNDI research, required that the 537 Planners identify all wetlands within 300 feet of the project area.

Question Thirty-Five (35): *Has the Township begun to address the concerns of the U.S. Fish & Wildlife?*

Question Thirty-Six (36): *Does the Township plan to delineate wetlands using actual field survey, or insist on using the National Wetlands Survey records?*

Page 17 of the executive summary reads that "Wetlands were taken from the National Wetlands Inventory prepared by the United States Fish & Wildlife Service. While these maps do not provide complete wetlands delineation, they serve as indication and are considered satisfactory for planning purposes."

Question Thirty-Seven (37): *Satisfactory to whom? To the USFW? To the PADEP? To the Delaware County Conservation District?*

Page 17 continues, "In areas where new sewage facilities are being considered, an actual Wetland Delineation must be performed in the field prior to final design."

Question Thirty-Eight (38): *Why is the Township not planning to have this knowledge at the planning stage, so that Implementability of the plan can be properly assessed? It does not seem that this plan will be feasible without this information.*

C. FEMA

The mapping contains information that appears to have been updated based on the FEMA maps from 2009.

Question Thirty-Nine (39): *How did the authors of the plan confirm that the information has been accurately shown on the attached drawings?*

The drawings appear to contain drafting errors, such as inaccurate roadways (see the intersection of Campus Boulevard and Stoney Brook Boulevard) and also contains inaccurate property lines (see Newton Business Campus). Additionally, the pump station service area boundaries appear to have been drawn haphazardly (the service boundary cuts through properties along Old Forest Road & Heather Way). The floodplain meanders through existing houses in some developments. (See Springton Pointe Woods).

The plans proposes sewerage infrastructure within four tributary streams to Crum Creek: Lewis Run, Reese Run, Preston Run & Hunter's Run. All of which drain to the Crum Creek and the Springton Reservoir:

Question Forty (40): *Have the authors considered any option that do not require disturbance of existing watercourse and environmentally sensitive areas?*

Question Forty-One (41): *How can the Township be certain the Floodplains elevations and locations are accurate?*

Question Forty-Two (42): *Were the plans based on field survey or tax maps?*

Question Forty-Three (43): *Were there any adjustments to the plans to fit the topographic information, the parcels and the FEMA information together? If so, how much adjustment was performed?*

D. Sanitary Sewer Flows – “Attachment L”

“Attachment L” contains a list of “Project Names,” neighborhood or development areas. The adjacent column contains information about the Plan Status, and the third column contains information about the Total Flow in Gallons per day.

The “Total Flow” column contains a mixture of Design Flows, based on a combination of the Domestic Wastewater Design Manual, Chapter 73 of Title 25 of the PA Code and also a PADEP response letter dated May 29, 2008 to metered testing performed by the Pennsylvania American Water Company within the Coatesville area Wastewater Treatment Plant Service Area. The “Total Flow” column also contains what appears to be developer projections (sewer “caps” or “paper” flow.) Additionally, there are flows based on agreements (the Seven Party Agreement, the Ashford Agreement). There are also flows based on existing water records or meter records.

Question Forty-Four (44): *Is the May 29, 2008 PADEP available? Why is it not part of this plan?*

Project Name	Total Flow (gpd)	Total Units of Allocation	Total Flow (gpd) / Total Units of Allocation
Echo Valley Development	35,700	136	262.500
Goshen Road Area	9,975	38	262.500
Boot Road Area	8,400	32	262.500
Florida Park	33,338	127	262.504
Hunt Valley Circle	7,350	28	262.500
Hunter's Run	19,950	76	262.500
Campus Boulevard	26,000	99	262.626
Springton Pointe Estates	35,000	133	263.158
Township Park Area (Bishop Hollow Road)	1,050	4	262.500
Dogwood Area	2,365	9	262.778
Melmark	25,000	95	263.158
Episcopal Academy	11,000	42	261.905
Ashford Development	115,000	460	250.000
BPG	185,000	705	262.411
National Developer's Realty, Inc.			
1a. Marville Existing	3,500	13	269.231
1b. Marville Site Proposed	83,950	320	262.344
2. Olde Masters Property	78,100	298	262.081
3. The Four Seasons	9,450	36	262.500
Camelot P.S.			
Camelot P.S. Existing Flow s	71,900	----	
Pulte Residents & Commercial	43,100	164	262.805
Existing Albertos Restaurant	1,520		
Existing Phase One Terrazza Condos	20,600	103	200.000
Proposed Somerset / Cornerstone			
250 Apartments @200 gpd	50,000	250	200.000
137 Townhomes @ 225 gpd	30,825	137	225.000
Remaining Flow not Assigned	28,775	128	224.805
Remaining from 7 – Party Agreement	3,280	15	218.667

Page 33 of the executive summary states “As a basis of flow projections for older developments constructed prior to 2002, a flow of 262.50 (gpd) is recommended for flow allocations per household, and for newer developments constructed after 2002, flow projections of 225 GPD is recommended with the acknowledgement of 250 GPD relative to the Ashford Development that is noted in their Sewage Facilities Planning Module.”

Of particular concern in the above table, are the flows for the Springton Pointe Estates, which is allocated 133 units at total flow of 35,000, which is the Permitted Capacity of the Plant (Page 34). The total units' tributary to the Springton Pointe Estates WWTP is actually 166 units, which would put the flow need at $166 \times 262.5 = 43,575$ gpd, not 35,000 gpd.

Question Forty-Five (45): Did the Township physically count the existing building and vacant lots in the Springton Pointe WWTP Service Area?

Question Forty-Six (46): How does the Township plan to address the flow needs of the Springton Pointe WWTP Service Area?

An additional concern in the above table, are the flows for the “Camelot P.S. Existing Flows” which read 71,900 gpd. The value of 71,900 gpd was the original allocation granted to the Township under the Seven Party Agreement which has since been exceeded. The Township residential communities that are tributary to the Camelot P.S. Include the Newtown Heights (266 units), Mary Jane Lane & Dudie Drive Properties (56 units) and the Newton Wood-Ellis Avenue Properties (172 units). These areas comprise a flow need of

$$266+56+172 = 494, \quad 494 \times 262.5 = 129,675 \text{ gpd.}$$

Question Forty-Seven (47): Did the Township physically count the existing buildings and vacant lots in the Camelot PS Service Area?

Question Forty-Eight (48): How does the Township plan to address the flow needs of the Camelot PS Service Area?

The flow need from the Springton Pointe Estates PS Area & the Camelot PS Area is closer to an additional 66,350 gpd, which is in excess of what the Township currently has by agreement with C.D.C.A.

Question Forty-Nine (49): What provisions does the Township have to accommodate for the lack of inadequate capacity?

There is no “Remaining Flow” from the Seven Party Agreement.

Question Fifty (50): Does the Township intend to remove this item, since there is no remaining flow under the Seven Party Agreement?

Question Fifty-One (51): How does the Township justify the reduction of flow from the National Developers Realty properties?

E. Pump Station Design

Question Fifty-Two (52): Has the Township given any consideration to the design possibility of abandoning the Wiltshire Pump Station?

Question Fifty-Three (53): Does the Township have any preliminary concept as to how large a Pump Station would be at the Springton Pointe Site?

Question Fifty-Four (54): Did the Township give any consideration to using the existing four inch line, which runs between the Springton Pointe Estates WWTP and the Camelot Pump Station? This line could easily convey the flow from both Springton Pointe Estates and Hunter's Run.

Question Fifty-Five (55): How does the Township plan to install a regional pump station at Springton Pointe given the location of the floodplain, the wetlands and the limited easement areas?

Question Fifty-Six (56): How does the Township plan to install the Newton Hunt Pump Station next to a water body?

Question Fifty-Seven (57): How does the Township plan to install the Florida Park Pump Station next to a watercourse and floodplain?

F. Tapping Fees

Page 43 of the executive summary states that "tap in fee" will be between \$4,500.00 and \$6,000.00.

Question Fifty-Eight (58): Will existing users that are currently connected to the public system be required to pay a tapping fee? The Municipal Authorities Act would seem to preclude this as an option for the Township.

Question Fifty-Nine (59): Will future users with lower unit flow allotments (200 gpd, 225 gpd, 250 gpd) be charged a different "tap in fee" than users who are allocated 262.5 gallons?

Question Sixty (60): Are the developers being charged a "tap in fee" based on gallonage or unit flow allotment? Which allotment?

Question Sixty-One (61): Will the "tap in fee" for the existing service areas with "tap in fees" per agreements and earlier projects (Newtown Heights, Hempstead Road, Bishop Hollow Road) be adjusted for this sewer project?

Question Sixty-Two (62): Will areas with existing sewer infrastructure be given a credit for already having sewerage? (Hunter's Run). Who will pay to abandon the Hunter's Run system? Is that part of the project costs?

Question Sixty-Three (63): Will any of the parties of the Seven Party Agreement be asked to share in the cost of the expansion of the Camelot Pump Station?

G. Alternatives & Options

For the areas South of West Chester Pike, the Township should give consideration to installing a system of pump stations and forcemains along West Chester Pike, Bishop Hollow Road or Newtown-Street Road instead of the route chosen in the alternate of choice.

The option of installing mains in the PennDOT right-of-way system, allows fuller control of the project with regards to mechanical feasibility, permitting, costs, time and environmental clearances. Additionally, the needless loss of trees and disturbance of environmentally sensitive areas can be wholly avoided. Likewise, Camelot Pump Station would potentially need no upgrades, rather, it would fulfill its original design ideas from its original Part II Permit, under which it operates today.

There are alternatives explored in the plan, but only limited design alternatives have been given for flow path and pipe routing. The location of pump station will have an effect on quality of life of residents, and every effort should be made to screen these stations from residential areas. Concerns about noise, odors, maintenance vehicles, potential overflows and unforeseen development are associated with pump stations.

Respectfully,

Raymond Lopez

Individually and as President
Springton Pointe Estates Homeowners Association

Residence: 22 Old Forest Road
Newtown Square, PA 19073-3936

Cc: Pennsylvania Department of Environmental Protection
Ms. Elizabeth Mahoney
Sewerage Planning Supervisor, Water Management

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December 27, 2012

Mr. Raymond Lopez
President, Springton Pointe Estates Home Owners Association
22 Old Forest Road
Newtown Square, PA 19073-3936

RE: Response to Public Comments
Act 537 Official Plan Update for
Newtown Township, Delaware County

Dear Mr. Lopez:

The Township is in receipt of your letter of November 15, 2012 submitted on behalf of yourself individually and as president of the Springton Pointe Estates Home Owners Association. Following please find responses to the questions and comments contained in your letter. It is noted that a number of your questions/comments are predicated by inaccurate statements. By not addressing each incorrect assumption, the Township is in no way agreeing with these statements.

I. General Comments Regarding Planning South of West Chester Pike:

The pipe routes and flow path described in the plan that convey effluent from Newtown-Edgemont Border to its eventual discharge at the terminus C.D.C.A. Manhole is problematic for the following reasons.

- A. Costs & Expenses:** The proposed route will cost the system users the expense of installing regional pump stations, in remote areas, with the added expense of the Springton Pointe Estate Pump Station (No.5), its associated forcemain, the upgrades to Camelot P.S. (No.6) and its forcemain. The constructability of this system will be challenging, as a large portion of this infrastructure will be installed outside the physical cartway, in areas that are environmentally sensitive and difficult to reach by construction equipment. Additionally, sewer infrastructure is proposed to be installed along watercourses and floodplain boundaries.

Other than the "No Action" alternative, the alternative as recommended is the least costly alternative. While locating infrastructure outside of the physical cartway can pose certain challenges but no different than any other sewer project extensions of this nature. There are also competing challenges when constructing within the physical cartway of roads, such as permitting, maintenance and protection of traffic,

utility conflicts, and demolition and restoration of concrete base materials and traffic delays and congestion leading to fuel waste and contributing to air pollution. Sewer mains typically follow watercourses because of the natural drop in grade. Construction within these areas will need to be in accordance with all permits applicable to each section of the proposed project.

Question One (1): *Why has the Township not explored the cost differences between installing forcemains along the West Chester Pike and Route 252 Corridor in lieu of the proposed path as shown on the Plan?*

The Township has and the West Chester Pike Route is not financially responsible and would do a disservice to the residents as a whole by unnecessarily escalating the costs to future sanitary sewer users by as much as \$3,000.00 per household. The West Chester Pike/Route 252 Route would cost over \$5M more than the selected alternative.

Question Two (2): *Have the construction estimates taken into account the difficulty of construction the system as proposed? It does not appear that the removal of trees, deeper gravity lines or working in flood prone areas or steep slopes have been considered in these estimates. Additionally, the added time to construct these systems will add to expense of the project.*

Yes. The Route chosen will actually speed up the project because there should be minimal utility conflicts and virtually no traffic conflicts. The Township has taken into account the depth of the, steep slopes and other similar issues as well as the relative difficulties of each alternative. The proposed Plan has no particular difficulty that warrants choosing a different alternative.

Question Three (3): *Have these costs been determined?*

Yes. The overall cost of the Plan versus the Route you suggest has been compared and the selected alternative was found to be more than \$5M more cost effective. More refined costs are to be determined at the time the project is bid.

- B. **Regarding the Route to be Followed by the New Collection System:** The last draft iteration of the 537 Plan called for the new commercial and residential users to have sewage collected and then sent east along West Chester Pike and then south along Route 52 and then on toward the C.D.C.A. system. The present plan abandons that route for the new sewage and instead brings approximately 337,000 gallons of primarily commercial waste through the Springton Pointe Estates development and into a proposed new pump station to be built beside the existing Springton Pointe Waste Water Treatment Plant.

The new pump station is intended to replace the existing Wastewater Treatment Plant (WWTP) and not to coexist beside the WWTP. However, your assertion that the new flow will be primarily commercial is not based upon fact and provides a disservice to the community for alleging something that is not correct.

Question Four (4): *Why was the earlier route abandoned?*

This plan speaks for itself. There was no earlier route. A new planning team took a fresh look at various alternatives and selected the best alternative for the Township.

- C. **Regarding the Plan's Scheme to Retain the SPWWTP rather than send the Springton Pointe flow to the C.D.C.A. System:** The Township's 537 Plan, dated May 2007 - supplemented in 2008 and approved by DEP Feb. 2009 (the "2007 Plan"); called for the SPWWTP to be converted to a Pump Station (Pump Station 3) so that the sewage flow from the Springton Pointe Estates development would be sent to the C.D.C.A. system. The Consent Order and Agreement between the Township and DEP called for some departures from the 2007 Plan - but the SPWWTF conversion is not specifically mentioned as a Plan element to be changed. However, now, under the proposed Plan, the conversion is being abandoned and the SPWWTP is contemplated to remain in operation. Both 25 Pa. Code § 71.21 and the DEP's *Act 537 Plan Content and Environmental Assessment Checklist* call for full assessment of current and alternative sewage facilities, both from a functional and economic perspective.

The WWTP is proposed to be decommissioned and replaced with Pump Station Number 5.

With the foregoing in mind, the following comments/questions are submitted:

Question Five (5): *For what reason or reasons was it determined that the Plan would call for keeping the SPWWTP operative rather than converting it to a pump station and sending the sewage flow from the Springton Pointe Estates development sent to the C.D.C.A. system.*

The WWTP is proposed to be decommissioned and replaced with Pump Station Number 5.

Question Six (6): *What evaluation was made of the existing SPWWTP (including its fields) with respect to:*

- a. *its current and future functioning and efficiency;*

Specific costs of ongoing maintenance and improvements were not analyzed; however, future functioning and efficiency are not unlimited. The life expectancy of WWTP with land disposal are typically in the 35 year range. The SPE WWTP has been in operation for over ten (10) years.

- b. *the timing, nature, and cost of ongoing maintenance and capital improvements to be required by the SPWWTP.*

Because the SPE WWTP is to be abandoned, your question is not applicable to this Act 537 Plan.

Generally, the maintenance and improvements necessary to keep an aging WWTP functioning efficiently and within permitting requirements becomes more costly over time. Furthermore, public sewer service with a regional disposal facility is generally preferred because, over time, it is typically less costly to users.

***Question Seven (7):** What will be the current and future cost impact to the residents of Springton Pointe Estates of maintaining the SPWWTP in service rather than converting it to a pumping station and sending the development's flow to the C.D.C.A. system?*

Question is not applicable see #5 and #6.

- D. **Easements:** The proposed routes will require easements to which neither the Authority, nor the Township currently have rights of access or utility installation. The acquisition of these easements will require considerable legal, engineering and administration costs. Additionally, the easements will most likely adversely affect the resale value of the properties across which they lie. The easement across the Springton Pointe Property to the Camelot Pump Station has a limited area, with no practical room to install a regional pump station.

The acquisition of easements does not always require considerable legal, engineering, and administrative costs. Generally, any decrease in market value of a property because of an easement can be largely offset by the increase in market value by providing public sewer service. There is sufficient room to construct a regional pump station at the existing location. Property owners of land which would be required to secure easements from will be contacted on an individual basis as the need arises.

***Question Eight (8):** Has the Township given consideration to how much these easements will cost to obtain?*

Yes. Based upon similar previous projects 5% of the overall project cost was anticipated for acquisition of easements in general.

***Question Nine (9):** Does the five percent allocation in the cost estimates also include the cost for the compensation of the fair market value of the easement? Explain how five percent is used across all the estimates, whereas there are varying numbers of easements for each portion of the project.*

Based upon similar previous projects 5% of the overall project cost was anticipated for acquisition of easements as a reasonable estimated cost which would account for lower as well as higher easement acquisition costs.

Question Ten (10): *How does the Township intend on constructing the Springton Pointe Pump Station, given the limited area described by the easement for the existing WWTP?*

The area of the existing WWTP should be more than sufficient to house the proposed pump station. Specific sequencing of construction will be up to the contractor awarded the bid for the project subject to approval by the Newtown Township Municipal Authority (NTMA) Engineer. It would be anticipated that bypass pumping of the flow to the WWTP will allow for its decommissioning while the pump station is being constructed.

- E. **Regarding the Location of Proposed Pump Station No. Five ("Springton Pointe"):**
The existing Springton Pointe Waste Water Treatment Plant ("SPWWTP") is situated on a rectangular parcel which is only 65 feet by 130 feet. The SPWWTP presently covers virtually all of that parcel. The parcel is surrounded on 3 sides by lands dedicated to the Springton Pointe Estates Homeowners Association ("HOA") for stormwater management. Much of that HOA land is wetland area. On its 4th side, the SPWWTP parcel is adjacent to a narrow shared driveway providing road access to the WWTP as well as 2 homes (lots 117 & 118). Neither Newtown Township (the "Township") nor the Newton Township Municipal Authority (the "Authority") are known to own (or hold easements on) any additional land near the SPWWTP parcel and there seems to be no portion of the SPWWTP parcel available to accommodate a Pump Station in addition to the WWTP.

The new pump station is intended to replace the existing Wastewater Treatment Plant (WWTP) and not to coexist beside the WWTP.

Question Eleven (11): *The Plan does not precisely provide the location for Proposed Pump Station No. Five ("Springton Pointe"). Where specifically does the Township propose to place Proposed Pump Station No. Five ("Springton Pointe")? What other locations, if any, were considered or remain under consideration?*

The exact location has not been determined at this time other than it will be located where the current WWTP is located. No other locations are being considered for Pump Station No. 5 under the selected alternative. Because the WWTP site provides for the lowest point within the existing collection system.

Question Twelve (12): *With respect to the proposed location for Proposed Pump Station No. Five ("Springton Pointe"), what land is currently available to the Township or Authority to serve as the location site? How is that land available? Please detail whether the land is owned, leased, or under easement by the Township or the Authority, or explain how it is otherwise subject to municipal control. Please also identify any contemplated eminent domain action.*

The land where the existing WWTP is situated has been obtained by the NTMA via deed of dedication. No eminent domain action is contemplated at this time.

Question Thirteen (13): *Does the Township believe that the Township or Authority hold any easements over property in the Springton Pointe Estate development which easements may be employed in connection with facilities contemplated by the Plan? If so, please identify those easements, the specific property they burden, and detail what facilities it is contemplated they may serve.*

Yes. The Deed of Dedication from the Springton Pointe Community Sewer Association, Inc. to the Newtown Township Municipal Authority (NTMA) dated June 5, 2007 transferred ownership of the various sewer improvements (WWTP, collection and conveyance lines, pump stations, and disposal fields) and associated easements to the NTMA. It should be noted that in the Plan you advocate, a pump station will be required, presumably at the same location. It is intended where possible to use existing easements and right of ways.

Question Fourteen (14): *What are the expected dimensions of the Proposed Pump Station No. Five ("Springton Pointe")?*

The final dimensions and configuration are to be determined during design of the system prior to construction bidding but the pump station will be smaller than the current WWTP. Possible area of 30' x 60'.

Question Fifteen (15): *How, if at all, is the SPEHOA's retainage Basin A on lands surrounding the SRWWTP expected to be impacted?*

There is no impact anticipated to the adjacent stormwater management basin. Erosion and Sediment Control Plans are required to be prepared and approved prior to earth disturbance associated with construction activity for decommissioning of the WWTP and construction of the proposed pump station.

Question Sixteen (16): *It is not clear from the Plan how homes and residents in Springton Pointe Estates, particularly those in the vicinity of the SPWWTP, will be impacted by noise, odor, increased shared driveway usage, and activity relating to the Proposed Pump Station No. Five ("Springton Pointe"). What assessment was performed in that regard, what impact is possible, and what ameliorative steps are contemplated?*

Less impact is anticipated by the proposed pump station compared with the current WWTP. The proposed pump station will not require as many maintenance trips to the station. It will be smaller and more aesthetically attractive. Further, there are a number of design specific measures that will reduce potential impact to adjacent homeowners (odor control, decreased detention time that reduces odors and variable frequency drive motors that reduce noise and save energy). It should be noted that in the Plan you advocate, a pump station will be required, presumably at the same location.

- F. **Environmentally:** The plan will result in the disturbance of sensitive areas, such as wetlands, floodplains, wooded areas, steeply sloping lands, areas with shallow ground

water soils, riparian areas and areas with old growth trees.

During earlier design concepts of 537 Planning, the installation of a new forcemain between the Springton Point Estates WWTP and the Camelot Pump Station was abandoned. The area warranted additional field surveys to clear environmentally sensitive plants and wildlife, which ultimately led us to re-consider any infrastructure through these areas.

Any potential stream crossing (General Permit No.5) will have to execute a "Bog Turtle Screen Form" as a matter of the course of review by the DCCD, regardless of any result from PNDI.

We believe that the proposed forcemain shown in the MacCombie plans will ultimately be stopped by environmental agencies for the same reasons that we abandoned those concepts.

Question Seventeen (17): *Has the Township done any field studies to verify the location of wetlands in these areas?*

No field studies have been conducted at this time. Field studies will need to be conducted during design of the system to obtain various agency permits.

Question Eighteen (18): *What is the Township's plan for the proposed forcemain route when the field survey reveals the presence of the endangered or threatened species of concern? Is an alternate route proposed?*

The Township and the NTMA will take all environmentally necessary and sound precautions to eliminate or mitigate any impact. If the field survey reveals the presence of Threatened or Endangered Species there is a protocol that needs to be followed during permitting to resolve any potential conflicts to T&E Species. Alternative routes were evaluated, however, they are not the selected alternative. At this time potential alternative route will be evaluated as the need arises.

It is almost impossible to determine how many trees will be affected by the proposed pipe routing. Since the proposal describes a gravity line from West Chester Pike, to the rear of the Olde Master Property, intense and destructive construction techniques will be necessary to install deep gravity mains.

Question Nineteen (19): *Does the Township have any estimate as to how many trees will be lost for this construction? Does the Township have any concept of the cost of the removal of these trees? Does the Township have any concept of the impact of the loss of these trees on the surrounding ecology?*

No counts have been conducted. The Township and the NTMA will make every effort to avoid or minimize impact on the environment, especially tree removal and wetland interaction during design and construction of the selected alternative.

The proposal will also call for the installation of lines under the existing watercourse behind the Florida Park area.

Question Twenty (20): *Has the Township accurately depicted the Floodplain elevation on the plans? The plans currently show houses along Guinevere and Excalibur Drive within the floodplain. How can the Township be satisfied that the floodplain lines are accurate?*

Yes. The floodplain, parcels (and townhouses), and topography were obtained from Delaware County GIS. There is some inaccuracy in some parcel in the Springton Pointe Woods and Springton Pointe Estates communities. The County GIS Department and the Board of Assessment Department, is aware of this issue. However, aerial orthophotos were also used in planning proposed lines and pump station locations to supplement parcel information since the aerials, topographics, and floodplain area all tied to state plane coordinates.

Question Twenty-One (21): *Has the Township confirmed the datum from the topographic information found on the "Appendix F" and associated plans match with the datum of the FEMA maps?*

No. At this time all datum's where necessary will be correlated to a FEMA benchmark as the sewer design evolves.

- G. **Mechanically:** The proposal describes the installation of a new ten (10) inch gravity main down Campus Boulevard and through Stoney Brook Boulevard. The proposal does not describe how, or if the existing eight (8) inch or existing (12) inch lines will be used or abandoned. Potentially, three gravity lines will traverse the Campus-Stoney Brook Boulevard roadways. Additionally, the mains will be required to install very deeply, since the low point is the cartway is at the intersection of Bishop Hollow Road and Stoney Boulevard.

Question Twenty-Two (22): *Why is the Township proposing an additional gravity line along Stoney Brook Boulevard roadway, which currently contains two gravity mains?*

In the alternative, the existing line that runs within the easement in the front yards of the residences along Stoney Brook Boulevard could be replaced with a larger line. However, it will be less costly and less impact to the residents along Stoney Brook Boulevard to construct one (1) additional gravity line within the cartway of Stoney Brook Boulevard.

The proposal will require upgrades to the Camelot Pump Station, which is an idea which has been proposed, explored and eventually abandoned during the five years since Newtown became a member of C.D.C.A.

The original design of the Camelot Pump Station included (as described in the plan set

and Part II permit for Camelot) the flow from Hunter's Run, as well as Springton Pointe Estates. Flow was not included, from Campus Boulevard, but analysis revealed that the addition of that flow would not require system upgrades, but would increase the run time of Pump Station. There are several drawbacks to upgrading the pump station. Namely, it is unclear if the proposal intends to increase the size of the existing forcemain or not. Potential upgrades would cause a disruption to the existing neighborhood, as the installation of new equipment (and potentially a new forcemain) would require that the roadway be dug up and repaired after construction. Moreover, it is unclear, if any of the existing equipment would be used or be abandoned.

The size of the forcemain from the Camelot Pump Station to the CDCA connection point is not anticipated to be upgraded. Determination of continued use, salvage, or abandonment of existing equipment will be made during design of the Pump Station upgrade. The other alternative that you propose would cause greater disruptions to the community at large. Upgrades are planned for the pump station to accommodate additional flow, but these upgrades will improve the existing pump station.

Question Twenty-Three (23): *Has the Township considered alternatives that do not route flow through the Camelot Pump Station?*

Yes. The West Chester Pike/Route 252 route was considered and is anticipated to be a greater impact to the community, including the Springton Pointe Woods and Camelot Lane residents.

- H. **Time of Construction:** The permitting for stream crossings will add months (if not years) to the proposal. Detailed wetland delineations, as well as the determination of the habitat of the threatened or endangered plants and wildlife will need to be assessed. Delaware County is one of the thirteen (13) Counties on the General Permit Five (5) roster of areas which are known to contain Bog Turtle habitat. Additional time will be needed for the removal of trees, and the installation of lines and pump station in remote areas. Since the author of the plan states that wetlands studies and detailed environmental clearances will be handled on a case-by-case basis, delays of time will most likely be seen in the event that there are unresolvable environmental clearances.

Generally speaking, most potential environmental conflicts are resolvable. The West Chester Pike/Route 252 route would need to cross the same watercourse along Route 252 which would require a GP-5. Although there may be no wetland impact, similar permitting issues are required.

Question Twenty-Four (24): *Would not a less time consuming option be appropriate given consideration to the fact that previous 537 efforts sought to minimize stream crossings and disturb environmentally sensitive areas?*

The West Chester Pike/Route 252 route would likely be as time consuming, if not more, because of PennDOT permitting, construction within the state highway, costly

restoration of concrete base in West Chester Pike, maintenance and protection of traffic, and potential utility conflicts aside from the utility stream crossing permit on Route 252. Furthermore, Route 252 was recently repaved and it is PennDOT's policy to not allow road opening permits for a minimum of three (3) years after paving has been completed.

- I. **Regarding the Issue of Buffer Areas:** The Township has made representations that best efforts will be made to keep sources to improvements at least 400 feet from any residential property line. That commitment is being kept with respect to residential areas other than the Springton Pointe Estates development (e.g. Echo Valley). In fact, in certain neighborhoods, a 700 foot setback is being maintained. Unlike those other residential areas, at the proposed location of the new pump station No. 5 will be within 200 feet of the residence of a Springton Pointe Estates property owner.

Previous drafts of the Plan stated that "all pump stations are to be . . . a minimum of four hundred (400) feet away from property lines or residences to the maximum extent practicable".

Question Twenty-Five (25): *Will the Springton Pointe Pump Station No. Five be positioned a minimum of 400 feet from all property lines or residences in the Springton Pointe Estates development?*

No. Proposed Pump Station No. Five will be situated at the location of the existing WWTP. The Township is making every effort to minimize impact of this plan to all residents of the Township.

Question Twenty-Six (26): *If not, why is the 400 foot buffer area not being maintained with respect to Springton Pointe Estates?*

Proposed Pump Station No. Five will be situated at the location of the existing WWTP where no 400 foot buffer exists. There is no 400 foot buffer requirement.

- J. **Regarding the Division of Risk:** By accumulating 337,000 gallons of sewage and concentrating it at the Springton Pointe Estates pump station, rather than distributing the collection in other locations, the risk of a problem with the septic system is being concentrated at Springton Pointe Estates without any proper division of the risk.

Question Twenty-Seven (27): *Why is that?*

The Township selected this alternative based on sound engineering principles as the most beneficial to the entire Township. Sound design is employed in design and permitting of pump stations and their backup systems. An increased flow does equate to increased risk.

- II. **General Comments Regarding the Act 537 Plan**

- A. **Easements:** It is difficult to determine how many easements will be required to proceed with this project as describe in the act 537 Plan. The scale of the mapping makes it difficult to discern precisely how many easements will be required to facilitate this project.

Question Twenty-Eight (28): Does the Township know, definitively, how many easements will be required for this project?

No.

By our count:

Hunt Valley Circle:	Six (6)
Echo Valley Development:	Twelve (12)
Goshen Road Area:	Zero (0)
Boot Road Area:	Eight (8)
Marville Properties:	Six (6)
Olde Masters:	Four (4)
Garret Williamson Properties:	One (1)
Newtown Corporate Campus:	Two (2)
Florida Park Service Area:	Sixty-One (61)
Hunter's Run Area:	Two (2)
Stoney Brook Boulevard:	Three (3)
Springton Pointe Estates:	One (1)
Springton Pointe Woods:	One (1)

Total Easements: 107

The easement described from Hunt Valley Circle to "Willow Hollow" (aka "Stub E") in Echo Valley is not a public right-of-way as described on page four (4) of the executive summary. The easement along "Willow Hollow" (aka "Stub E") lane was prepared to provide water service to Hunt Valley Circle.

Question Twenty-Nine (29): Does the Township know who owns the land between Echo Valley and Hunt Valley Circle?

Yes, Lands N/L of Gerald J. Leimkuhler, Jr. and Karen Hall, 170 Hunt Valley Circle, Tax Map ID No. 30-14-002-001

As part of base-planning, PADEP has typically asked to see proof of easement acquisition prior to approving Act 537 Plans.

Question Thirty (30): Has the Township approached PADEP with regard to whether or not they want proof of Implementability, as far as rights or ownership of easements?

No.

Question Thirty-One (31): *Has the Township approached any of the affected property owners regarding the easements?*

No.

Question Thirty-Two (32): *What alternatives has the Township considered in lieu of 107 easements?*

The Township has considered other alternative routes but they were not selected for the reasons set forth in the Plan and above. Not doing the project at all, as well as other alternatives such as the use of low pressure sewers throughout the Township, which is a disservice to residents when it is clearly practical to provide gravity service.

Question Thirty-Three (33): *Does the Township have any estimate as to the cost of 107 easements?*

The Township has estimated 5% of the overall project cost for acquisition of easements.

B. Environmental Clearances

Appendix M describes that a "Large Project" PNDI study was submitted for this application.

The application reads: "The area to be impacted will be evaluated on a case-by-case basis as specific projects commence. Each specific project will need to address potential environmental impacts specifically related to that particular project such as PNDI searches, wetlands delineations, general permits, and /or erosion and sediment pollution control and NPDES permitting, etc., as application."

However, we have experienced that although the environmental agencies may allow the "Large Project" approach to base planning, the PADEP 537 reviewers will want more detail for each area of the project.

Question Thirty-Four (34): *Has the Township contacted PADEP to determine if the "Large Project" approach will be adequate?*

No.

Additionally, the U.S. Fish & Wildlife letter, dated July 11, 2012 which is part of "Attachment M" to the PNDI research, required that the 537 Planners identify all wetlands within 300 feet of the project area.

Qualified professionals will be consulted to conduct the appropriate surveys at the time of design of the proposed system.

Question Thirty-Five (35): *Has the Township begun to address the concerns of the U.S. Fish & Wildlife?*

Yes.

Question Thirty-Six (36): *Does the Township plan to delineate wetlands using actual field survey, or insist on using the National Wetlands Survey records?*

Field survey/delineation is required and will be conducted by qualified professionals during design of the system.

Page 17 of the executive summary reads that "Wetlands were taken from the National Wetlands Inventory prepared by the United States Fish & Wildlife Service. While these maps do not provide complete wetlands delineation, they serve as indication and are considered satisfactory for planning purposes."

Question Thirty-Seven (37): *Satisfactory to whom? To the USFW? To the PADEP? To the Delaware County Conservation District?*

Satisfactory for reasonable engineers in the planning process.

Page 17 continues, "In areas where new sewage facilities are being considered, an actual Wetland Delineation must be performed in the field prior to final design."

Question Thirty-Eight (38): *Why is the Township not planning to have this knowledge at the planning stage, so that Implementability of the plan can be properly assessed? It does not seem that this plan will be feasible without this information.*

The Township's planning team does not believe it is prudent or necessary to waste money for premature studies and system design.

C. FEMA

The mapping contains information that appears to have been updated based on the FEMA maps from 2009.

Question Thirty-Nine (39): *How did the authors of the plan confirm that the information has been accurately shown on the attached drawings?*

The floodplain information is FEMA Q3, which is a digital representation of certain features of FEMA's FIRM product, intended for use with desk-top mapping and GIS technology. The data are expected to be used for a variety of planning applications including broad-based review for floodplain management, land-use planning, commercial siting analysis, insurance target marketing, natural resource/environmental analyses, and real estate development and targeting.¹

¹FEMA, Map Service Center, <https://msc.fema.gov/webapp/wcs/stores/servlet/info?storeId=10001&catalogId=10001&langId=->

However, the paper FIRMs are the official documents.

The drawings appear to contain drafting errors, such as inaccurate roadways (see the intersection of Campus Boulevard and Stoney Brook Boulevard) and also contains inaccurate property lines (see Newton Business Campus). Additionally, the pump station service area boundaries appear to have been drawn haphazardly (the service boundary cuts through properties along Old Forest Road & Heather Way). The floodplain meanders through existing houses in some developments. (See Springton Pointe Woods). The plans proposes sewerage infrastructure within four tributary streams to Crum Creek: Lewis Run, Reese Run, Preston Run & Hunter's Run. All of which drain to the Crum Creek and the Springton Reservoir:

Question Forty (40): *Have the authors considered any option that do not require disturbance of existing watercourse and environmentally sensitive areas?*

Other options were considered, however, all involve potential impacts to watercourses or other environmentally sensitive areas. The propose Plan, although with its own potential environmental impacts, is the greatest benefit to the Township as a whole and is the most economical.

Question Forty-One (41): *How can the Township be certain the Floodplains elevations and locations are accurate?*

The data was obtained from the Delaware County GIS Department, which obtained the data from FEMA, which is the type of information upon which engineers typically rely for planning purposes.

Question Forty-Two (42): *Were the plans based on field survey or tax maps?*

The majority of the plan information was obtained from the Delaware County GIS Department. Where deemed appropriate by the planning professionals, some field survey of existing location and elevation of sanitary sewers was conducted to verify feasibility of planning concepts.

Question Forty-Three (43): *Were there any adjustments to the plans to fit the topographic information, the parcels and the FEMA information together? If so, how much adjustment was performed?*

No adjustments were made. The GIS data is tied to state plane coordinates.

D. Sanitary Sewer Flows – "Attachment L"

"Attachment L" contains a list of "Project Names," neighborhood or development areas. The adjacent column contains information about the Plan Status, and the third column contains information about the Total Flow in Gallons per day.

The "Total Flow" column contains a mixture of Design Flows, based on a combination of the Domestic Wastewater Design Manual, Chapter 73 of Title 25 of the PA Code and also a PADEP response letter dated May 29, 2008 to metered testing performed by the Pennsylvania American Water Company within the Coatesville area Wastewater Treatment Plant Service Area. The "Total Flow" column also contains what appears to be developer projections (sewer "caps" or "paper" flow.) Additionally, there are flows based on agreements (the Seven Party Agreement, the Ashford Agreement). There are also flows based on existing water records or meter records.

Question Forty-Four (44): *Is the May 29, 2008 PADEP available? Why is it not part of this plan?*

Project Name	Total Flow (gpd)	Total Units of Allocation	Total Flow (gpd) / Total Units of Allocation
Echo Valley Development	35,700	136	262.500
Goshen Road Area	9,975	38	262.500
Boot Road Area	8,400	32	262.500
Florida Park	33,338	127	262.504
Hunt Valley Circle	7,350	28	262.500
Hunter's Run	19,950	76	262.500
Campus Boulevard	26,000	99	262.626
Springton Pointe Estates	35,000	133	263.158
Township Park Area (Bishop Hollow Road)	1,050	4	262.500
Dogwood Area	2,365	9	262.778
Meimark	25,000	95	263.158
Episcopal Academy	11,000	42	261.905
Ashford Development	115,000	460	250.000
BPG	185,000	705	262.411
National Developers Realty, Inc.			
1a. Marville Existing	3,500	13	269.231
1b. Marville Site Proposed	83,950	320	262.344
2. Olde Masters Property	78,100	298	262.081
3. The Four Seasons	9,450	36	262.500

The letter was not issue for this Plan and was only references as a sample for determining flow per EDU in a method acceptable to the PA DEP.

Page 33 of the executive summary states "As a basis of flow projections for older developments constructed prior to 2002, a flow of 262.50 (gpd) is recommended for flow allocations per household, and for newer developments constructed after 2002, flow projections of 225 GPD is recommended with the acknowledgement of 250 GPD relative to the Ashford Development that is noted in their Sewage Facilities Planning Module."

Of particular concern in the above table, are the flows for the Springton Pointe Estates, which is allocated 133 units at total flow of 35,000, which is the Permitted Capacity of the Plant (Page 34). The total units' tributary to the Springton Pointe Estates WWTP is actually 166 units, which would put the flow need at $166 \times 262.5 = 43,575$ gpd, not 35,000 gpd.

Question Forty-Five (45): Did the Township physically count the existing building and vacant lots in the Springton Pointe WWTP Service Area?

No. The WWTP was designed to handle an average monthly flow of 35,000 gpd which was used as the allocated flow for the service area.

Camelot P.S.			
Camelot P.S. Existing Flow s	71,900		
Pulte Residents & Commercial	43,100	164	262.805
Existing Albertos Restaurant	1,520		
Existing Phase One Terrazza Condos	20,600	103	200.000
Proposed Somerset / Cornerstone			
250 Apartments @200 gpd	50,000	250	200.000
137 Townhomes @ 225 gpd	30,825	137	225.000
Remaining Flow not Assigned	28,775	128	224.805
Remaining from 7 - Party Agreement	3,280	15	218.667

Question Forty-Six (46): How does the Township plan to address the flow needs of the Springton Pointe WWTP Service Area?

By constructing a pump station at the location of the current WWTP, connected to the Camelot Pump station, and treatment by the CDCA.

An additional concern in the above table, are the flows for the "Camelot P.S. Existing Flows" which read 71,900 gpd. The value of 71,900 gpd was the original allocation granted to the Township under the Seven Party Agreement which has since been exceeded. The Township residential communities that are tributary to the Camelot P.S. Include the Newtown Heights (266 units), Mary Jane Lane & Dudie Drive Properties (56

units) and the Newton Wood-Ellis Avenue Properties (172 units). These areas comprise a flow need of

$$266+56+172 = 494, \quad 494 \times 262.5 = 129,675 \text{ gpd.}$$

Question Forty-Seven (47): *Did the Township physically count the existing buildings and vacant lots in the Camelot PS Service Area?*

No. The Camelot PS is metered and flow annually reported in accordance with Chapter 94 requirements.

Question Forty-Eight (48): *How does the Township plan to address the flow needs of the Camelot PS Service Area?*

Based upon metered existing flow the flow needs of the aforementioned areas are met.

The flow need from the Springton Pointe Estates PS Area & the Camelot PS Area is closer to an additional 66,350 gpd, which is in excess of what the Township currently has by agreement with C.D.C.A.

Question Forty-Nine (49): *What provisions does the Township have to accommodate for the lack of inadequate capacity?*

The Plan provides for sufficient capacity.

There is no "Remaining Flow" from the Seven Party Agreement.

Question Fifty (50): *Does the Township intend to remove this item, since there is no remaining flow under the Seven Party Agreement?*

No. First of all, there have been recent changes to the Terrazza/Somerset Phase 2 development, which yielded a residual flow. Secondly, since the 7-Party Agreement, the Township has contracted with the CDCA for significantly more flow.

Question Fifty-One (51): *How does the Township justify the reduction of flow from the National Developers Realty properties?*

The National Developers Realty provided a letter detailing the flow needs of their pending development.

E. Pump Station Design

Question Fifty-Two (52): *Has the Township given any consideration to the design possibility of abandoning the Wiltshire Pump Station?*

It is not being considered as part of this plan.

Question Fifty-Three (53): Does the Township have any preliminary concept as to how large a Pump Station would be at the Springton Pointe Site?

Yes. The new pump station would be situated within the area presently occupied by the WWTP and would be smaller than the WWTP.

Question Fifty-Four (54): Did the Township give any consideration to using the existing four inch line, which runs between the Springton Pointe Estates WWTP and the Camelot Pump Station? This line could easily convey the flow from both Springton Pointe Estates and Hunter's Run.

Yes. However, the line will need to be upgraded to accommodate the additional flow.

Question Fifty-Five (55): How does the Township plan to install a regional pump station at Springton Pointe given the location of the floodplain, the wetlands and the limited easement areas?

The new pump station would be situated within the area presently occupied by the WWTP and would be smaller than the WWTP. The line to the Camelot pump station would be in the same location as the existing line referenced in Question 54.

Question Fifty-Six (56): How does the Township plan to install the Newton Hunt Pump Station next to a water body?

It is typical for pump stations and sewer mains to be constructed in close proximity to watercourses since low points in drainage areas typically fall in these locations. The existing Camelot PS is situated approximately 65 feet from Hunters Run and approximately 50 feet from the floodplain of Hunters Run.

Question Fifty-Seven (57): How does the Township plan to install the Florida Park Pump Station next to a watercourse and floodplain?

The existing Camelot PS is situated approximately 65 feet from Hunters Run and approximately 50 feet from the floodplain of Hunters Run.

F. Tapping Fees

Page 43 of the executive summary states that "tap in fee" will be between \$4,500.00 and \$6,000.00.

Question Fifty-Eight (58): Will existing users that are currently connected to the public system be required to pay a tapping fee? The Municipal Authorities Act would seem to preclude this as an option for the Township.

No.

Question Fifty-Nine (59): Will future users with lower unit flow allotments (200 gpd, 225 gpd, 250 gpd) be charged a different "tap in fee" than users who are allocated 262.5 gallons?

No. Users will be charged per EDU, regardless as to whether their anticipated gallongage is less than 262.5 gpd (determined by multiplying 90 gallons per capita per day for sewer capacity times the average number of persons per household as established by the most recent census data provided by the United States Census Bureau)

Question Sixty (60): Are the developers being charged a "tap in fee" based on gallongage or unit flow allotment? Which allotment?

It depends upon the type of development. For instance, the Ashford/Liseter community is constructing its own sewer infrastructure and then getting a credit towards its pro-rata share of the infrastructure for these improvements. Other developers, will simply pay a tap-in fee for individual homes.

Question Sixty-One (61): Will the "tap in fee" for the existing service areas with "tap in fees" per agreements and earlier projects (Newtown Heights, Hempstead Road, Bishop Hollow Road) be adjusted for this sewer project?

The tap-in fees for all properties in this service area will be the same. Properties that are already connected will not be charged a new tap-in fee.

Question Sixty-Two (62): Will areas with existing sewer infrastructure be given a credit for already having sewerage? (Hunter's Run). Who will pay to abandon the Hunter's Run system? Is that part of the project costs?

Hunters run is not a public system. All new users connecting to the system will charged a tap-in fee. Hunters Run residents will save money to the extent individual residents will not have to install laterals to their homes.

Question Sixty-Three (63): Will any of the parties of the Seven Party Agreement be asked to share in the cost of the expansion of the Camelot Pump Station?

The members of the 7-Party Agreement will not be paying a tap-in fee. Costs not covered by tap-in fees will be reflected in sewer rent rates.

G. **Alternatives & Options**

For the areas South of West Chester Pike, the Township should give consideration to installing a system of pump stations and forcemains along West Chester Pike, Bishop Hollow Road or Newtown-Street Road instead of the route chosen in the alternate of

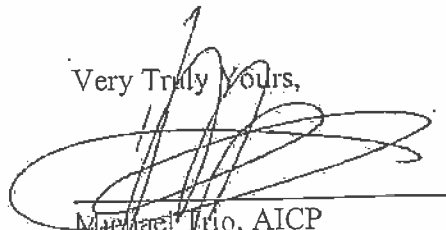
choice.

The option of installing mains in the PennDOT right-of-way system, allows fuller control of the project with regards to mechanical feasibility, permitting, costs, time and environmental clearances. Additionally, the needless loss of trees and disturbance of environmentally sensitive areas can be wholly avoided. Likewise, Camelot Pump Station would potentially need no upgrades, rather, it would fulfill its original design ideas from its original Part II Permit, under which it operates today.

There are alternatives explored in the plan, but only limited design alternatives have been given for flow path and pipe routing. The location of pump station will have an effect on quality of life of residents, and every effort should be made to screen these stations from residential areas. Concerns about noise, odors, maintenance vehicles, potential overflows and unforeseen development are associated with pump stations.

Construction within the state highway comes with its own challenges, including but not limited to the excessively high cost and time intensive demolition and reconstruction of concrete base within West Chester Pike (S.R. 0003) and PennDOT's policy of no road openings for a period of three (3) years following repaving a stretch of highway, namely Newtown Street Road (S.R. 0252) between West Chester Pike and the CDCA tie-in manhole at Media Line Road. Potential environmental impacts associated with the selected alternative will be avoided to the greatest extent practicable or mitigated in accordance with agency permits obtained as part of the design of the system. Lastly, quality of life issues will be improved with the re-designed pump stations.

Very Truly Yours,



Michael Trio, AICP
Newtown Township Manager

copy: File

 verizon

[Print](#)

Subject: FW: Newtown Township 537 Plan Comments
From: Mike Trio <triom@newtowntwpdelco.org>
Sent: Thursday, November 15, 2012 8:40:33 AM
To: rsokorai@highswartz.com, hem.engineers.dporter@verizon.net

From: mahah1@comcast.net [mailto:mahah1@comcast.net]
Sent: Thursday, November 15, 2012 8:37 AM
To: Mike Trio
Cc: jcatania@frontrowlaw.com; gummydoc@aol.com; ed.partridge@verizon.net; janawn64@gmail.com; georgeesq@aol.com; ehahoney@state.pa.us
Subject: Newtown Township 537 Plan Comments

Dear Mr. Trio,

Please find attached my comments on the Township's 537 Plan.

Sincerely,

A. L. Holmstrom

6 Laurel Lane
Newtown Square, PA 19073
November 15, 2012

Mr. Michael Trio
Township of Newtown
209 Bishop Hollow Rd
Newtown Square, PA 19703

Subject: 2012 Newtown Township Act 537 Submission

Dear Mr. Trio,

I appreciate the opportunity to comment on the Township's Act 537 Plan submission. My comments focus on two issues:

- 1.) The unnecessary intrusion of sewer construction in an established residential area, and
- 2.) The costly commitment to operate the Springton Pointe Estates wastewater treatment plant through 2017.

Alternate Sewage Routing Plan

The proposed 537 Plan envisions routing sewage from the North East portion of the Township through the established Pulte/Toll subdivisions to a location near the Springton Pointe Estates wastewater treatment plant (WWTP) where a new pump station is proposed to be constructed. This is a significant intrusion into an established residential area. In addition, this intrusion is intended, for the most part, to service commercial interests. There is an alternative option that can and should be inserted into the 537 Plan.

Hunters Run sewage flow could be handled by existing facilities, transfer lines and pump station, to the existing WWTP without significant alteration. The remainder of the North East sewage should be directed to a pump station on the Marville property (Marville is a primary beneficiary of the 537 plan). This pump stations effluent should be routed on Routes 3 and 252 right of ways to the existing Camelot force main or directly to the CDCA interceptor at Media Line Rd. and route 252. The south side of the Newtown Square Corporate Center can be accommodated by existing facilities at the Newtown Heights pump station.

By not building a new pump station at the WWTP and eliminating a major expansion of the Camelot pump station, the Township has significant offsetting cost savings.

Discontinued WWTP Use

I served as President of the Springton Pointe Estates Community Sewer Association prior to dedication of the facilities to Newtown Township in May, 2007. For five years I had close oversight of the operation of the wastewater treatment plant (WWTP) and a role in supporting the Township's worthy goals of providing wastewater management services for its residents, in particular through the Multiparty Agreement dated August 12, 2002 for which I was the signor for the Community Sewer Association.

An outcome of the Multiparty Agreement was the construction of the Camelot pump station. As part of that construction a transfer pipe was installed between the Camelot and WWTP pump stations to facilitate early conversion of wastewater treatment from the WWTP to DELCORA. This was a "carrot" for the Community Sewer Association to sign the Multiparty Agreement. There are several factors which I believe make a cogent case for proceeding to shut down the WWTP and transfer wastewater to DELCORA for processing. Cost, environmental risk, and potential environmental liability are the factors I propose to briefly address.

Cost: At the time of the implementation of the Camelot pump station the costs for treatment were approximately \$750 and \$250 per residence per year for the WWTP and DELCORA options, respectively. For about 145 residences at a \$500 difference, the cost advantage for DELCORA amounted to approximately \$72,500 per year. This does not include capital maintenance expenses which can run \$10,000 to \$20,000 per year for the WWTP. Small scale WWTPs are non-competitive with large plant operational costs. It would seem to be contrary to fiduciary responsibility to continue to operate the WWTP for an additional 5 years. These savings would more than justify the termination penalty for AQUA's services and any capital expenditures to effect the DELCORA option.

Environmental Risk: The small package WWTP for Springton Pointe Estates presents a greater environmental risk than the DELCORA option. This is not unique to the SPE WWTP, rather a general fact for these small facilities. They are too small to be manned around the clock, they are vulnerable to problems with infiltration fields (and in this case no space to expand), and there are operating life limitations to the fields. In general, eliminating the only WWTP in the Township is in the best interests of our environment.

Liability: Unfortunately, even when best management practices are in place, untoward incidents can occur. Environmental liabilities can be costly. As a minimum, the environmental liability insurance deductible should be considered as a cost factor regarding continued operation of the SPE WWTP.

Having spent several years working in the best interests of Springton Pointe Estates and certain Pulte Development homeowners, the Townships 537 Plan is of keen personal interest. I urge

you to incorporate two changes to the plan. First, use the alternate sewage collection and routing plan which I have briefly described above. Secondly, incorporate the cessation of the operation of the Springton Pointe Estates WWTP on the soonest possible date.

Respectfully,

Allan L. Holmstrom

Allan L. Holmstrom

cc: Ms. Elizabeth Mahoney
Pennsylvania Department of Environmental Protection
Sewerage Planning Supervisor, Water Management

Raymond Lopez,
President, Springton Pointe Estates Homeowners Association

Newtown Township Supervisors

Joseph Catania
Ed Partridge
Ross Lambert
John Nawn
George Woods

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Township of Newtown

209 Bishop Hollow Road
Newtown Square, PA 19073
610-356-0200
www.newtowntownship.org

MICHAEL TRIO, AICP
TOWNSHIP MANAGER

RICH SOKORAI, ESQ.
TOWNSHIP SOLICITOR

STANTEC, INC.
TOWNSHIP ENGINEER

BUILDING INSPECTION
UNDERWRITERS, INC.
BUILDING INSPECTOR

December 27, 2012

Mr. Allan L. Holmstrom
6 Laurel Lane
Newtown Square, PA 19073

Dear Mr. Holmstrom:

In response to your November 15, 2012, below are responses to your questions and comments regarding Act 537 Plan for Newtown Township.

I appreciate the opportunity to comment on the Township's Act 537 Plan submission. My comments focus on two issues:

The unnecessary intrusion of sewer construction in an established residential area, and the costly commitment to operate the Springton Pointe Estates wastewater treatment plant through 2017.

Alternate Sewage Routing Plan

The proposed 537 Plan envisions routing sewage from the North East portion of the Township through the established Pulte/Toll subdivisions to a location near the Springton Pointe Estates wastewater treatment plant (WWTP) where a new pump station is proposed to be constructed. This is a significant intrusion into an established residential area. In addition, this intrusion is intended, for the most part, to service commercial interests. There is an alternative option that can and should be inserted into the 537 Plan.

Hunters Run sewage flow could be handled by existing facilities, transfer lines and pump station, to the existing WWTP without significant alteration. The remainder of the North East sewage should be directed to a pump station on the Marville property (Marville is a primary beneficiary of the 537 plan). This pump station's effluent should be routed on Routes 3 and 252 right of ways to the existing Camelot force main or directly to the CDCA interceptor at Media Line Rd. and route 252. The south side of the Newtown Square Corporate Center can be accommodated by existing facilities at the Newtown Heights pump station.

By not building a new pump station at the WWTP and eliminating a major expansion of the Camelot pump station, the Township has significant offsetting cost savings.

A pump station will be required at the location of the current WWTP regardless as to your suggested alternative in order to connect Springton Pointe Estates to the central system. Also constructing lines down West Chester Pike and Route 252 over \$5M dollars will be added to the cost of the project which must be passed on to the users of the system and will not be borne entirely by the developers. This proposed route would also be far more disruptive to the entire community. Stoney Brook Boulevard is wide enough to accommodate traffic and construction.

Discontinued WWTP Use

I served as President of the Springton Pointe Estates Community Sewer Association prior to dedication of the facilities to Newtown Township in May, 2007. For five years I had close oversight of the operation of the wastewater treatment plant (WWTP) and a role in supporting the Township's worthy goals of providing wastewater management services for its residents; in particular through the Multiparty Agreement dated August 12, 2002 for which I was the signor for the Community Sewer Association.

An outcome of the Multiparty Agreement was the construction of the Camelot pump station. As part of that construction a transfer pipe was installed between the Camelot and WWTP pump stations to facilitate early conversion of wastewater treatment from the WWTP to DELCORA. This was a "carrot" for the Community Sewer Association to sign the Multiparty Agreement. There are several factors which I believe make a cogent case for proceeding to shut down the WWTP and transfer wastewater to DELCORA for processing. Cost, environmental risk, and potential environmental liability are the factors I propose to briefly address.

Cost: At the time of the implementation of the Camelot pump station the costs for treatment were approximately \$750 and \$250 per residence per year for the WWTP and DELCORA options, respectively. For about 145 residences at a \$500 difference, the cost advantage for DELCORA amounted to approximately \$72,500 per year. This does not include capital maintenance expenses which can run \$10,000 to \$20,000 per year for the WWTP. Small scale WWTPs are non-competitive with large plant operational costs. It would seem to be contrary to fiduciary responsibility to continue to operate the WWTP for an additional 5 years. These savings would more than justify the termination penalty for AQUA's services and any capital expenditures to effect the DELCORA option.

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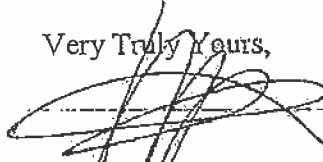
Liability: Unfortunately, even when best management practices are in place, untoward

incidents can occur. Environmental liabilities can be costly. As a minimum, the environmental liability insurance deductible should be considered as a cost factor regarding continued operation of the SPE WWTP.

Having spent several years working in the best interests of Springton Pointe Estates and certain Pulte Development homeowners, the Townships 537 Plan is of keen personal interest. I urge you to incorporate two changes to the plan. First, use the alternate sewage collection and routing plan which I have briefly described above. Secondly, incorporate the cessation of the operation of the Springton Pointe Estates WWTP on the soonest possible date.

The Plan calls for the WWTP to be deconstructed and replaced with a pump station at that same location in the early stages of the project. The waste will then be pumped to the Camelot Pump station as you suggest. By way further reply, see the previous response.

Very Truly Yours,



Michael Frio, AICP
Newtown Township Manager

copy: File



[Print](#)

Subject: Fwd: Fwd: Public Comment on Oct 2012 537 Plan
From: MacCombie Engineers <hem.engineers@verizon.net>
Sent: Friday, November 16, 2012 1:10:43 PM
To: hem.engineers.dporter@verizon.net

----- Forwarded message -----

From: Mike Trio <triom@newtowntwpdelco.org>
Date: Nov 16, 2012
Subject: Fwd: Public Comment on Oct 2012 537 Plan
To: rsokorai@highswartz.com <rsokorai@highswartz.com>, hem.engineers@verizon.net
<hem.engineers@verizon.net>

Sent from my Samsung Epic™ 4G Touch

----- Original message -----

Subject: Public Comment on Oct 2012 537 Plan
From: Jim Curcio <jimcurcio@hotmail.com>
To: Mike Trio <triom@newtowntwpdelco.org>
Cc: Joe Catania <jcatania@frontrowlaw.com>, Ross Lambert <gummydoc@gmail.com>, George Wood
<george@gwoodlaw.net>, ed.partridge@verizon.net

Dear Mike,

Please find attached my public comment on the 537 plan.

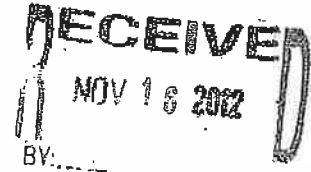
thank you

Jim Curcio
4114 Battles Ln

November 16, 2012

To: Newtown Township, c/o Mike Trio, Township Manager

From: James and Tricia Curcio
4114 Battles Lane
Newtown Square PA 190732



Re: Public Comment on the Oct 2012 Act 537 Plan

Dear Mr. Trio:

We are writing in response to the Township's advertisement of public comment for the 537 Plan published in October of 2012. We are in favor of this plan and would to begin by saying thank you to the township for continuing to pursue this plan despite the legal action which stopped the Township from implementing the previous 537 plan.

We live in Echo Valley with a failing on-site system. We initially hired an engineering firm to design a new system, but at the time they recommended waiting for public sewers due to the severe soil restrictions on our property. We have also paid to have our system cleaned and repaired as much as would be allowed without obtaining a permit. We currently pump our tank every three weeks, but this is not enough to keep our yard dry during the wet seasons.

We believe it is in the best interest of the township as a whole, and our neighborhood in particular, to be served by public sewers. Numerous engineering studies have pointed out the poor soil conditions in Echo Valley and other areas of the Township. As evidence of this, at one point around the year 2004 the Township coordinated a public co-op pump-and-haul program in an attempt to ease the problems in Echo Valley until public sewers arrived.

We hope that DEP approval of this plan occurs in a timely manner, and that the Township will proceed with implementation as soon as possible. We also hope that there are no more frivolous law suits which will only serve to delay the project and increase costs both to individual families and to the general taxpayers of the Township.

Sincerely,

A handwritten signature in dark ink, appearing to read "Jim and Tricia Curcio", written over a horizontal line.

Jim and Tricia Curcio
4114 Battles Lane
Newtown Square PA 19073

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Township of Newtown

209 Bishop Hollow Road
Newtown Square, PA 19073
610-356-0200

www.newtowntownship.org

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TOWNSHIP MANAGER

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TOWNSHIP SOLICITOR

STANTEC, INC.
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BUILDING INSPECTION
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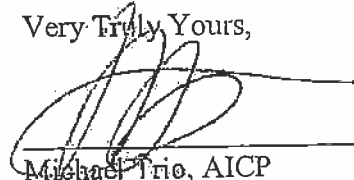
December 27, 2012

James & Tricia Curcio
4114 Battles Lane
Newtown Square, PA 19073

Dear Mr. Curcio:

The Township is in receipt of your letter dated November 16, 2012. Your comments are noted and will be included in the Township's submission to the DEP, along with all of the other comments and questions that have been filed.

Very Truly Yours,



Michael Trio, AICP
Newtown Township Manager

copy: File

✓
verizon

[Print](#)

Subject: Fwd: Fwd: 2012 Newtown Township Act 537 Submission
From: MacCombie Engineers <hem.engineers@verizon.net>
Sent: Friday, November 16, 2012 1:09:56 PM
To: hem.engineers.dporter@verizon.net

----- Forwarded message -----

From: Mike Trio <triom@newtowntpdelco.org>
Date: Nov 16, 2012
Subject: Fwd: 2012 Newtown Township Act 537 Submission
To: rsokoral@highswartz.com <rsokoral@highswartz.com>, hem.engineers@verizon.net <hem.engineers@verizon.net>

Sent from my Samsung Epic™ 4G Touch

----- Original message -----

Subject: 2012 Newtown Township Act 537 Submission
From: John Mensack <jmensack@msn.com>
To: Mike Trio
<triom@newtowntpdelco.org>, jcatania@frontlaw.com, gummydoc@aol.com, janawn64@gmail.com, georgeesq@aol.com, emahoney@state.pa.us, ed.partridge@verizon.net
Cc:

November 16, 2012

Mr. Michael Trio
Township Manager
Township of Newtown
208 Bishop Hollow Road
Newtown Square, PA 19073

Dear Mr. Trio:

We are writing today to express our opposition to the 2012 Newtown Township Act 537 submission regarding sewer changes. As residents of Springton Pointe Estates and as voters we feel that the disruption to our neighborhood caused by these changes would be excessive and unnecessary. This is especially the case since there are solutions that are less invasive to all parties involved.

The plan to install a 336,860 gallon per day pump station is all the more unnecessary when one considers that our immediate neighborhood will represent less than 10% of the daily sewage capacity of this proposed facility. The result would be that Springton Point Estates would become the repository for the waste of a very broad region that is not even in the vicinity of our development.

We would urge you to consider either of the two following solutions:

~~Build~~ the pumping station on the Marville property near Mostardi's, and then send the sewage down West Chester Pike to Route 252; or

~~Build~~ the sewage from Hunter's Run via existing piping under Stoney Brook Boulevard to the existing collection well at the current treatment plant, and then add a back-up pump and diverter valve to send the combined sewage to the existing Camelot Pump station.

Either of these solutions would be less invasive and disruptive for us and our neighbors, and we believe would represent a more logical solution for all parties involved.

Regards,
John & Jane Mensack
20 Old Forest Road
Newtown Square, PA 19073

cc: Joseph Catania
Ross Lambert
Ed Partridge
John Nawn
George Wood
Elizabeth Mahoney

Sent from my iPad

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CHAIRMAN

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JOHN A. NAWN, P.E.



Township of Newtown

209 Bishop Hollow Road
Newtown Square, PA 19073
610-356-0200

www.newtowntownship.org

MICHAEL TRIO, AICP
TOWNSHIP MANAGER

RICH SOKORAL, ESQ.
TOWNSHIP SOLICITOR

STANTEC, INC.
TOWNSHIP ENGINEER

BUILDING INSPECTION
UNDERWRITERS, INC.
BUILDING INSPECTOR

December 27, 2012

John & Jane Mensack
20 Old Forest Road
Newtown Square, PA 19073

Dear Mr. & Mrs. Mensack:

In response to your e-mail dated November 16, 2012, below are responses to your questions and comments regarding Act 537 Plan for Newtown Township.

We are writing today to express our opposition to the 2012 Newtown Township Act 537 submission regarding sewer changes. As residents of Springton Pointe Estates and as voters we feel that the disruption to our neighborhood caused by these changes would be excessive and unnecessary. This is especially the case since there are solutions that are less invasive to all parties involved. The plan to install a 336,860 gallon per day pump station is all the more unnecessary when one considers that our immediate neighborhood will represent less than 10% of the daily sewage capacity of this proposed facility. The result would be that Springton Point Estates would become the repository for the waste of a very broad region that is not even in the vicinity of our development. We would urge you to consider either of the two following solutions: Install the pumping station on the Marville property near Mostardi's, and then send the sewage down West Chester Pike to Route 252; or Run the sewage from Hunter's Run via existing piping under Stoney Brook Boulevard to the existing collection well at the current treatment plant, and then add a back-up pump and diverter valve to send the combined sewage to the existing Camelot Pump station.

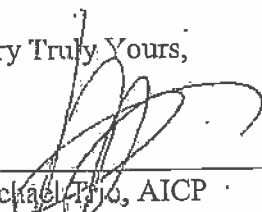
Either of these solutions would be less invasive and disruptive for us and our neighbors, and we believe would represent a more logical solution for all parties involved

Under the Plan, Springton Pointe Estates will not become a repository for waste. In fact, unlike the current situation where waste is treated on site and discharged back into the community, the Plan will pump all waste to a remote location for treatment at a central facility. The alternate routes that you suggest would add over \$5M to the estimated project costs which must be passed on to the users of the system. The additional flow from other

Mr. & Mrs. Mensack
Act 537 Official Plan Update
12/27/2012
Page 2

parts of the community will not have a more deleterious effect on your community than the other required pumps. The pump station is planned at the current location of the treatment plant.

Very Truly Yours,



Michael P. C., AICP
Newtown Township Manager

copy: File

MCNICHOL, BYRNE
& MATLAWSKI, P.C.
ATTORNEYS AT LAW

Paul D. McNichol *
James J. Byrne, Jr.
J. Adam Matlawski
Kelly S. Sullivan
Amber L. Burke
James B. Halligan, III
Kelly C. Pickhaver
* licensed to practice in PA and NJ

Of Counsel
Lauren V. Rogan*



HAND DELIVERY

November 16, 2012

Michael T. Trio
Newtown Township Manager
209 Bishop Hollow Road
Newtown Square, PA 19073

Re: Objection to Newtown Township Act 537 Plan and Proposed Ordinance for the
 Sewer Connection Requirements
 Residence: 4111 Goshen Road, Newtown Township, Delaware County,
 Pennsylvania

Dear Mr. Trio:

Please be advised our firm represents Francesco D'Arro and Scalia Rosario. This correspondence is to advise Newtown Township of the objection of Francesco D'Arro and Scalia Rosario to the Newtown Township Act 537 Plan and proposed ordinance for the sewer connection requirements. Mr. D'Arro and Rosario reside at 4111 Goshen Road, Newtown Square, Delaware County, Pennsylvania (hereinafter the "Residence").

Based on the Newtown Township Act 527 Plan and the proposed ordinance for the sewer connection requirements, the Residence would be required to connect to the sanitary sewer mains to be established on Goshen Road. The sewer connection requirements would cause irreparable harm to the structural foundation of the Residence originally built in 1708 and to the grounds on which the Residence is located. In addition, the logistics and financial costs associated with attempting to avoid harm to the significant historical Residence and grounds are not practical and are financially burdensome.

By way of brief historical background, the Residence is recognized as a historical building and property by the Newtown Square Historical Society. Enclosed please find the June 1984 Report of the Findings of the Delaware County Historic Resources Survey for Newtown Township of the Residence also known by the historic name the "William Lewis Outpost

MCNICHOL, BYRNE,
MATLAWSKI, P.C.

Michael Trio
November 16, 2012
Page 2

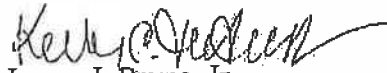
House." Per the report, the Residence has a significant historical role within the Revolutionary War sheltering horses for the Continental Army and being used to watch and report British troop movements along Goshen Road to General George Washington at Valley Forge.

As previously stated, we are respectfully objecting to the Newtown Township Act 527 Plan and the proposed ordinance for sewer connection requirements. In addition, we are respectfully requesting that you send us a correspondence to answer the following inquiry. Why are occupied buildings which are more than 150 feet from the sanitary sewer mains not required to connect to the sanitary sewer mains?

Finally, we are respectfully requesting an exception for the historical significant Residence and grounds. The Residence has an onsite sanitary system which is in good working order. If the Residence were to connect to the sanitary sewer mains, construction and placement of a lateral sewer line from the Residence to the sanitary sewer mains would have to negotiate a difficult topography, several out buildings, several historic stone walls and cross through a creek. In addition to the irreparable harm which will occur to the structural foundation of the Residence, circumventing these obstacles will be financially burdensome and risks damaging other historical structures and artifacts on the significant historical grounds.

The public good of saving the significant historical Residence and grounds far outweighs the need to compel the sewer connection requirements. Please let us know whether we can provide you with any additional information regarding the significant historical Residence and grounds. Thank you for your time and consideration in this matter.

Sincerely,


James J. Byrne, Jr.
Kelly C. Pickhaver

Enclosure

Cc: Pennsylvania Bureau for Historic Preservation
Delaware County Planning Department
Francesco D'Arro
Scalia Rosario

REPORT OF THE FINDINGS
OF THE
DELAWARE COUNTY HISTORIC RESOURCES SURVEY
FOR
NEWTOWN TOWNSHIP

DELAWARE COUNTY PLANNING DEPARTMENT
JUNE 1984

Prepared as part of the Comprehensive Historic Resources Survey being conducted by the Delaware County Planning Department in conjunction with the Pennsylvania Bureau of Historic Preservation. Partial funding was provided by the Pennsylvania Historical and Museum Commission, utilizing grant-in-aid funds from the U.S. Department of the Interior.

Funding for photographic components was obtained through a grant from the Atlantic Richfield Foundation, Inc.

Delaware County Council

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Nicholas F. Cantania
Edwin B. Erickson
Thomas M. Hayward

Delaware County Planning Department

John E. Pickett, County Planning Director

Nancy V. Webster, Senior Planner

Marianne M. Mrohaly, Project Planner

Megan M. Tarone, Secretary

Kathleen A. Mylett, Secretary

The Delaware County Planning Department also acknowledges the cooperation and assistance of many individuals who contributed valuable information to the preparation of this report, including:

Clara McVeigh
Hilda Lucas

William & Ruth Ellen Davis
Stan Short

PENNSYLVANIA HISTORIC RESOURCE SURVEY FORM
BUREAU FOR HISTORIC PRESERVATION Box 1026
PA HISTORICAL & MUSEUM COMMISSION Harrisburg, PA 17120

7. Local survey organization
Delaware County Planning Department

9. Property owners name and address
Gwynne G. Severance
65th Avenue

8. tax parcel number / other number
30-00-01080-02

10. U.T.M. zone 18 41 6311 1510

11. status (other surveys, lists etc.)

WPA, PI

4426613
northing

usgs sheet: Media B

12. classification
site () structure () object ()
building (X)
in N.R. district yes () no (X)

13. date(s) (how dates placed)
c. 1708, 1750's, est.

15. style, design or folk type

40-Colonial Eng.

19. original use
010200F, 029800A

20. present use
residential

16. architect or engineer

17. contractor or builder

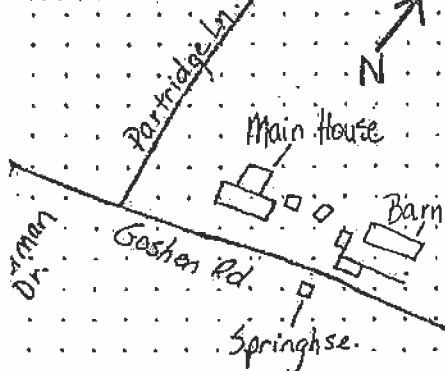
18. primary building mat./construction

02-stone

21. condition
excellent

22. integrity
excellent

23. site plan with north arrow



24. photo notation

592: 15A-17A

25. file/location DCPD

26. brief description (note unusual features, integrity, environment, threats and associated buildings)

2½ story, 5 bay, T-shaped residence w/stone foundation & pointed stone facade. Has 4 corbelled brick chimneys -- 2 inside end, central & 1 in the rear gable of the back extension. The S facade (front) has a pent eave & the windows have molded trim.

This house was built in 2 sections. The original section (C. 1708) has massive hand-hewn beams, a 10' wide cooking fireplace, and random-width floor boards. The second section (E) has been dated post-1750 and has a large fireplace & beveled ceiling beams. Reputedly, there is bark still on the basement beams which is said to have (cont.)

(continue on back if necessary)

27. history, significance and/or background

This stone house was the residence of William Lewis, the elder. The exact date of construction is not clear, but Lewis and his wife moved here from their previous residence in Haverford and they both died in Newtown in 1708. The house is listed in the 1715 and 1722 tax lists. William Lewis was a prominent member of the Society of Friends and the Friends often met at his home during the early stages of Newtown Meeting. (cont.)

(continue on back if necessary)

28. source of information

P. Records, *A Brief History of Newtown Township by San Lucas

29. prepared by:

M. Mrohalý

30. date

6/84

revision(s)

(continue on back if necessary)

1. County
045-Delaware

2. municipality
Newtown Township

3. street address or specific location
411 Goshen Road

4. survey code
045-NW-27

5. present name
William Lewis Outpost House

26. sheltered horses for the Continental Army during the Revolutionary War.

According to legend, during the Revolution, horses were hid in the bank cellar during the day and moved at night to Valley Forge -- this could explain the full sized door to the basement. (Horses were in high demand and this would prevent the British parties from stealing them.) In addition, this house was used by both "rebels" and spies such as Gen. James Potter and Major John Clark, who were stationed here to watch British troop movements along Goshen Road, and send written reports on their activities to Washington at Valley Forge.*



EVALUATION

EVALUATOR(S)

BOARD OF SUPERVISORS

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Township of Newtown

209 Bishop Hollow Road
Newtown Square, PA 19073
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MICHAEL TRIO, AICP
TOWNSHIP MANAGER

RICH SOKORAI, ESQ.
TOWNSHIP SOLICITOR

STANTEC, INC.
TOWNSHIP ENGINEER

BUILDING INSPECTION
UNDERWRITERS, INC.
BUILDING INSPECTOR

December 27, 2012

James J. Byrne, Jr., Esquire
McNichol Byrne Matlowksi
1223 N. Providence Road
Media, PA 19063

Re: D'Arro and Rosario Comments to Act 537 Plan

Dear Mr. Byrne:

I am writing in response to your letter dated November 16, 2012 regarding your clients Francesco D'Arro's and Scalia Rosario's comments and questions to the Township's Act 537 Plan. The Township is evaluating proposed ordinance language as suggested by you in your subsequent correspondence. Any such change, if approved by the Supervisors, would still require connection if the homeowners cannot pass an annual sewer inspection, at their own expense. In addition, the homeowner would have to demonstrate why such a connection is not practical and overly burdensome, as even under current conditions, the house presumably discharges its sewage to an area outside the house.

With respect to your question as to "Why are occupied buildings which are more than 150 feet from the sanitary sewer mains not required to connect to the sanitary sewer mains?" as you are aware this is the maximum distance permissible under the Second Class Township Code §2502. (The connection requirement of the Second Class Township Code applies not only to properties with a "principal building" within 150' but also to any property "adjoining or adjacent to....the sanitary sewer". So a property with a principal building more than 150' from the sanitary sewer can be required to connect if the property is adjoining or adjacent to the sanitary sewer no matter how far the principal building is from the sewer.)

Very Truly Yours,

Michael Trio, AICP
Newtown Township Manager

copy: File



[Print](#)

Subject: Fwd: Fwd: Springton pointe/ Pumping Station
From: hem.engineers <hem.engineers@verizon.net>
Sent: Saturday, November 17, 2012 9:42:40 AM
To: hem.engineers.dporter@verizon.net

Sent from my Verizon Wireless 4G LTE Smartphone.

----- Original message -----

Sent from my Samsung Epic™ 4G Touch

----- Original message -----

Subject: Springton pointe/ Pumping Station
From: "g.costalas" <gcostalas@me.com>
To: Mike Trio <triom@newtowntwpdclco.org>
Cc:

To Newtown Township Supervisors,

It is alarming to find out about this pumping station that is proposed in our developement at this stage of time, the pre planning of this should have been thought out years ago. This seems like it is being a disruptive project on top of already having the brige problem which the township knew about years ago also, it was obvious the bridge was in need of repair as well. The traffic, noise and congestion of tearing up our developement and receiving waste from other neighborhoods is uncalled for.

Speaking with the builder of the home which is listed for over 1.2 million dollars will have a disturbing view of a pumping station in the rear yard which seems very undesirable sight to look at.

I suggest to use the alternate plan to run up to West Chester pk. in Marville Property and down to Rt. 252 or The Hunters Run line with existing line under Stoney Brook Blvd. with added pumps and diverters is a better plan for residents that will be affected. I have not actually inspected the proposed plans as of yet but will do so.

George Costalas

4 Cherry Lane

Newtown Square, Pa. 19073

610-572-3855

30-37-010-006

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TOWNSHIP ENGINEER

BUILDING INSPECTION
UNDERWRITERS, INC.
BUILDING INSPECTOR

December 27, 2012

George Costalas
4 Cherry Lane
Newtown Square, PA 19073

Dear Mr. Costalas:

In response to your e-mail dated November 17, 2012, below are responses to your questions and comments regarding Act 537 Plan for Newtown Township.

It is alarming to find out about this pumping station that is proposed in our development at this stage of time, the pre planning of this should have been thought out years ago. This seems like it is being a disruptive project on top of already having the bridge problem which the township knew about years ago also, it was obvious the bridge was in need of repair as well. The traffic, noise and congestion of tearing up our development and receiving waste from other neighborhoods is uncalled for.

Speaking with the builder of the home which is listed for over 1.2 million dollars will have a disturbing view of a pumping station in the rear yard which seems very undesirable sight to look at. I suggest to use the alternate plan to run up to West Chester pk. in Marville Property and down to Rt. 252 or The Hunters Run line with existing line under Stoney Brook Blvd. with added pumps and diverters is a better plan for residents that will be affected. I have not actually inspected the proposed plans as of yet but will do so.

This pump station has been anticipated for some time, as has been the decommissioning of the existing Wastewater Treatment Plant. The bridge is not related to this project. The traffic and disruption associated with running lines down West Chester Pike and Route 252 are far more significant and costly to the entire community. The Township will work with the community to ensure that the pump station structure aesthetically consistent with the surrounding community and will be a significant improvement over the existing Wastewater Treatment Plant. Pumps will be required even in the route that you suggest.

Very Truly Yours,

Michael Trio, AICP
Newtown Township Manager

copy: File



Subject: **FW: Comment/objection to proposed Township Act 537 Submission**
From: **Mike Trio** <triom@newtowntwpdelco.org>
Sent: **Friday, November 16, 2012 4:03:52 PM**
To: **rsokorai@highswartz.com, hem.engineers.dporter@verizon.net**

From: Steve Wray [mailto:Stephen.Wray@cadient.com]
Sent: Friday, November 16, 2012 12:18 PM
To: Mike Trio; jcatania@frontlaw.com; gummydoc@aol.com; ed.partridge@verizon.net; janawn64@gmail.com; georgeesq@aol.com; emahoney@state.pa.us
Cc: leawray1@aol.com
Subject: Comment/objection to proposed Township Act 537 Submission
Importance: High

Newtown Township Supervisors, Manager, and Ms. Mahoney:

Recently, I have learned of the proposed plan to install a 337,000 gallon sewage pump station within the boundaries of the Springton Pointe Estates residential area in Newtown Township and to pump this sewage through our community as a result of the TA 537 plan. While this plan may represent a convenient option for the supervisors and township at this time, it is a poorly conceived and highly disruptive option when compared to numerous existing alternatives available to the township and its supervisors. Why would you choose to subject a community or residences to this sewage flow plan when you have (for example) a commercial property (Marville) and/or the potential to reroute existing lines/stations (adjacent to Route 252) to accomplish the same objective? This proposed plan has the appearance of being guided by politics rather than sound decision making, which is inconsistent with serving the best interest of your community and its homeowners. As a member of the Springton Pointe Homeowner's Association, and a taxpayer who was just (in the past 120 days) assessed a "phantom" water/sewage usage bill that in and of itself had no merit, I am highly skeptical of the supervisors' and townships' motivations and methods in formulating the Township Act 537 Submission plan. To have a community that is directly burdened by a system of this size, when the community itself would use less than 10% of the system capacity, is simply unsupportable. I urge you to reconsider this plan and to open further public discussion on plans that represent more logical options for meeting the township's sewage treatment needs.

I look forward to your response. Thank you for consideration of my comments.

Regards,

Steve Wray

Stephen Wray | President and Chief Executive Officer

2520 Renaissance Blvd, Suite 100, King of Prussia, PA 19406
p 484.351.2820 f 484.351.2900 m 610.506.2990

stephen.wray@cadient.com | follow us on: [Facebook](#), [twitter](#), [YouTube](#), [Linkedin](#)



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TOWNSHIP ENGINEER

BUILDING INSPECTION
UNDERWRITERS, INC.
BUILDING INSPECTOR

December 27, 2012

Mr. Stephen Wray
4 Hempstead Road
Newtown Square, PA 19073

Dear Mr. Wray:

In response to your email dated November 16, 2012 below are responses to your questions and comments regarding Act 537 Plan for Newtown Township.

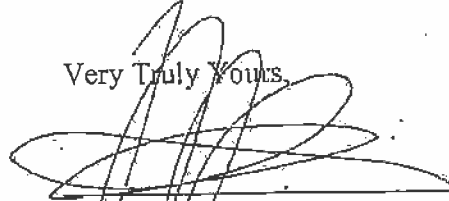
Recently, I have learned of the proposed plan to install a 337,000 gallon sewage pump station within the boundaries of the Springton Pointe Estates residential area in Newtown Township and to pump this sewage through our community as a result of the TA 537 plan. While this plan may represent a convenient option for the supervisors and township at this time, it is a poorly conceived and highly disruptive option when compared to numerous existing alternatives available to the township and its supervisors. Why would you choose to subject a community or residences to this sewage flow plan when you have (for example) a commercial property (Marville) and/or the potential to reroute existing lines/stations (adjacent to Route 252) to accomplish the same objective? This proposed plan has the appearance of being guided by politics rather than sound decision making, which is inconsistent with serving the best interest of your community and its homeowners. As a member of the Springton Pointe Homeowner's Association, and a taxpayer who was just (in the past 120 days) assessed a "phantom" water/sewage usage bill that in and of itself had no merit, I am highly skeptical of the supervisors' and townships' motivations and methods in formulating the Township Act 537 Submission plan. To have a community that is directly burdened by a system of this size, when the community itself would use less than 10% of the system capacity, is simply unsupportable. I urge you to reconsider this plan and to open further public discussion on plans that represent more logical options for meeting the township's sewage treatment needs.

I look forward to your response. Thank you for consideration of my comments.

The proposed plan is not based on politics. The Plan was conceived by planning professionals to achieve the best solution for the entire community and was not based on political considerations. The Board of Supervisors is considering the Plan, along with the

public's comments, but has not adopted **this** Plan. The developers will have to pay their share of the construction of the system. This system will not be a burden to any community. Running the lines down West Chester Pike and Rt. 252 will add over \$5M to the cost of the project, which must be passed to the users of the system, and will not be borne solely but the developers.

Very Truly Yours,



Michael Tro, AICP
Newtown Township Manager

copy: File

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TOWNSHIP ENGINEER

BUILDING INSPECTION
UNDERWRITERS, INC.
BUILDING INSPECTOR

December 27, 2012

Mr. and Mrs. Mark Kay
233 Excalibur Drive
Newtown Square, PA 19073

Mr. & Mrs. Jerzey & Susan Sliwinski
312 Arthur Court
Newtown Square, PA 19073

Mr. Jonathan Hoffman
117 Cherry Lane
Newtown Square, PA 19073

Ms. Karen L. Bogosian
129 Camelot Lane
Newtown Square, PA 19073

Mr. & Mrs. William H. Albrecht, III
126 Camelot Lane
Newtown Square, PA 19073

Mr. Richard Alan Winig
412 Merlin Road
Newtown Square, PA 19073

Mr. Arthur R. Ersner
202 Excalibur Drive
Newtown Square, PA 19073

Mr. & Mrs. Al & Cathy Scallon
610 Wiltshire Lane
Newtown Square, PA 19073

Mr. & Mrs. Susan & Richard Gordon
308 Arthur Court
Newtown Square, PA 19073

Mr. Robert Ruggieri
318 Arthur Ct.
Newtown Square, PA 19073

Mr. & Mrs. Mary & Martin Brennan
113 Camelot Lane
Newtown Square, PA 19073

Mr. & Mrs. Thomas F. &
Barbara N. Carr
222 Excalibur Drive
Newtown Square, PA 19073

Mr. & Mrs. Eung Ryong &
Youngok Choi
314 Arthur Court
Newtown Square, PA 19073

Mr. Lou Dolente, President of
SPW Condominium Association
221 Excalibur Drive
Newtown Square, PA 19073

Mr. & Mrs. Scott & Susan Odell
128 Camelot Lane
Newtown Square, PA 19073

Mr. Michael J. Stapf
525 Guinevere Drive
Newtown Square, PA 19073

Mr. Joseph Zeminski, Jr.
144 Camelot Lane
Newtown Square, PA 19073

Mr. Chan H. Park
111 Camelot Lane
Newtown Square, PA 19073

Mr. & Mrs. Joseph & Rose Rigolizzo
109 Camelot Lane
Newtown Square, PA 19073

Mr. & Mrs. Joseph Lebano
231 Excalibur Drive
Newtown Square, PA 19073

Ms. Laura Keenan
507 Guinevere Drive
Newtown Square, PA 19073

Mr. Michael J. Brown
402 Merlin Road
Newtown Square, PA 19073

Mr. Manfred Bierschwale
326 Arthur Court
Newtown Square, PA 19073

Dr. & Mrs. John E. Balson
500 Guinevere Drive
Newtown Square, PA 19073

Mr. Robert Cato
121 Camelot Lane
Newtown Square, PA 19073

Ms. Ruth Ann Cato
121 Camelot Lane
Newtown Square, PA 19073

Mr. & Mrs. Nissen & Maureen Isakov
322 Arthur Court
Newtown Square, PA 19073

Mr. Robert J. Pludo
527 Guinevere Drive
Newtown Square, PA 19073

Mr. and Mrs. Sargeant
522 Guinevere Drive
Newtown Square, PA 19073

RE: Response to Public Comments
Act 537 Official Plan Update for
Newtown Township, Delaware County

Dear Sir/Madam:

The Township is in receipt of your comment letter related to the Township's proposed Act 537 plan. Please refer to responses to your comments, which are set forth below.

The problems and issues we have with this Plan as best as I can understand it, are as follows:

1. There have been several complaints from homeowners to the Association and Township regarding the Camelot Pump Station's noise and smells, yet the response in the latest 537 Sewer Plan is a plan to greatly increase the Pump Station flow to include residential and commercial property, which would require increasing the maximum capacity to handle 586,860 GPD of sewage. Our 7-Party sewer agreement describes a design to convey up to a maximum of 330,950 gallons per day. The 2012 Plan requires a Pump Station expansion or addition as noted in the latest Plan with no details.

This Plan does propose modifications to the existing Camelot Pump Station so that it would be capable to handle additional flow. Camelot Pump Station currently services residential and commercial flow (Springton Pointe Woods Shopping Center, Newtown Grill, Sunrise Senior Assisted Living, Suburban Swim Club, and others tributary to the Hickory Lane Pump Station (CVS, Uno Chicago Grill, Cadillac dealership). With regard to noise and odors: 1) increasing the flow at the pump station will actually work to decrease the detention time of sewage in the wet well, which reduces potential odors; 2) the Township intends to install an odor control system that will be provided with the modified pump station; and 3) the Township intends superior pumps than those currently used, with top of the line motors with variable frequency drives (which also save energy), and suction lift pumps all of which will serve to improve current conditions, while at the same time increasing flow. Furthermore, the mechanicals will be enclosed in a small building to minimize noise and the Township intends to work with the community to ensure the building will be designed to coordinate with the aesthetics of the neighborhood.

2. Confused how the Camelot Sewer Pump Station can actually exist less than 75 feet from the closest physical house and yet be considered for a 3+ times increase in its current

flow. I thought there is a requirement in our Town of any sewer pump station to be at least 200 feet from any residential home?

There is no requirement that pump stations sit at least 200 feet from a residential home. The plan actually replaces the current pump station at the same location and will not be closer to any residential home. Further, the increased flow will not increase noise or odor, as explained in No. 1 above.

3. With greater gallons planned to pass through Camelot Pump Station #6, we expect the noise will extend over longer hours. Specifically, how will the Township resolve issues of odor and noise?

Please see the response set forth at No. 1, explaining why noise and odor issues will improve.

4. There is the statement in the current Plan that the Station will need to be *modified* but no detailed explanation as to the cost, effect and how in respect to digging, adding another station or replacing the current one with a larger one, replacing the piping to Rt. 252 or adding another line, etc. We assume this will require extensive digging down Stoney Brook Boulevard and through our neighborhood to Camelot.

Specifics related to the configuration and components of the pump station modification will be finalized during design and bidding of the system. It appears that the existing forcemain is adequate to handle the additional flow anticipated without need for replacement or providing an additional line in Camelot Lane to Rt. 252. However, a larger line will be needed in Stoney Brook Boulevard from Bishop Hollow Road to the location of the proposed pump station replacing the WWTP. Extending a force main eastward along West Chester Pike and then southward down Route 252 would be far costlier.

5. There is no mention of how the backup generator power source will be increased to handle the larger pump station proposed flow, knowing if there is a power failure, it will be at least 3+ times bigger problem.

Replacement or modification of the existing generator at the Camelot Pump Station has been considered and specifics will be determined during design and bidding of the system. The generator that will be in place will be sufficient to operate whatever motors and pumps are installed.

6. Creates a personal impact as to the value of my home for refinancing and selling in the future, besides daily living.

The new pump station will be no more intrusive than what currently exists. In addition, the Township intends to improve the pump station as set forth in No. 1 above and will also work with the community to improve its appearance.

Therefore, I have the following questions looking for a written response to:

7. What are the detailed plans on the modification of Camelot Pump Station #6 to increase it to approximately 3+ times its daily flow, including the expected disruption, increased noise and unpleasant odors to our community at Springton Pointe Woods and potential cost to us?

Refer to responses to numbers 1 through 6, above. There will be no tap-in fee to the SPW residents since this community is already connected to the public sewer system. However, user fees include overall costs of the system to the extent not covered by tap-in fees. Extending the lines down West Chester Pike to Rt. 252 is far costlier.

8. There was an alternate solution proposed by Kelly Engineers as part of the prior 537 Plan, to install a pumping station on West Chester Pike at the Marville Property, and then send the sewage down West Chester Pike to Rt. 252. It seems to have made more sense to have commercial sewage to go through industrial and major roads versus private residential neighborhoods, especially when we understood that the builder(s) involved were willing to pay part of the additional cost? Why isn't this plan currently being considered?

The alternative of choice in this Plan is approximately \$5M less costly to the residents and Township compared to the West Chester Pike/Route 252. The Camelot Pump Station currently handles both residential and commercial sewage. The increased cost would not be borne solely by developers.

9. What is the detailed plan to increase the backup generator support for the larger Camelot Pump Station(s)?

Please refer to response to number 7 above.

10. Please explain the advantages in retaining the SPE Plant for 5+ years compared to the disadvantages of the Treatment Plants additional cost, and the additional drainage problems which would remain if the plan is for SPE plant to remain open.

The plan proposes to decommission the WWTP and replace it with a pump station in the early stages of the project.

Very Truly Yours,

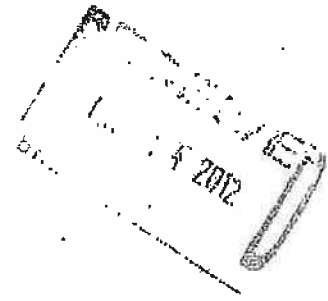
Michael Trio, AICP
Newtown Township Manager

copy: File

November 12, 2012

Mark L. & Hedy Kay
233 Excalibur Drive
Newtown Square, PA 19073
marklkay@verizon.net

Mike Trio, Manager
Newtown Township
209 Bishop Hollow Rd.
Newtown Square, PA 19073



Subject: Comments on the 537 Sewer Plan 2012 for Newtown Township

Mr. Trio,

As a Newtown Square homeowner and taxpayer I have the following comments, questions and concerns relating to the latest 2012 modified 537 Sewer Plan. I do appreciate all the hard work you and the Town put into this Plan, getting it to this point for our comments. In summary I disagree with this newly revised 537 Sewer Plan as written, which appears to have major disruptions, ongoing concerns and negative effects to my and all of my neighbors private residential property now and in the future.

The problems and issues I have with this Plan as best as I can understand it, are as follows:

- There have been several complaints from homeowners to the Association and Township regarding the Camelot Pump Station's noise and smells, yet the response in the latest 537 Sewer Plan is a plan to greatly increase the Pump Station flow to include residential and commercial property, which would require increasing the maximum capacity to handle 586,860 GPD of sewage. Our 7-Party sewer agreement describes a design to convey up to a maximum of 330,950 gallons per day. The 2012 Plan requires a Pump Station expansion or addition as noted in the latest Plan with no details.
- Confused how the Camelot Sewer Pump Station can actually exist less than 75 feet from the closest physical house and yet be considered for a 3+ times increase in its current flow. I thought there is a requirement in our Town of any sewer pump station to be at least 200 feet from any residential home?
- With greater gallons planned to pass through Camelot Pump Station #6, we expect the noise will extend over longer hours.
Specifically, how will the Township resolve issues of odors and noise?
- There is the statement in the current Plan that the Station will need to be *modified* but no detailed explanation as to the cost, effect and how in respect to digging, adding another station or replacing the current one with a larger one, replacing the piping to Rt. 252 or adding another line, etc. We assume this will require extensive digging down Stoney Brook Boulevard and through our neighborhood to Camelot.
- There is no mention of how the backup generator power source will be increased to handle the larger pump station proposed flow, knowing if there is a power failure the problem, it will be at least 3+ times bigger problem.
- Creates a personal impact as to the value of my home for refinancing and selling in the future, besides daily living.
- There has been a history of groundwater issues in SPW, and there have been groundwater (flooding) problems reported. The SPE treatment plant discharges 35,000 GPD, and the treated

sewage goes to seepage beds near Wiltshire. We were told by an engineer that the seepage beds were designed to be a temporary solution. Now, the current 537 Sewer Plan has notes stating the intention of retaining the SPE treatment plant for 5+ years.

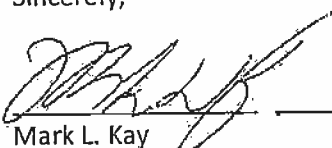
- The original plan was to phase out the SPE treatment plant, because of its high cost. In 2010, the treatment plant was costing approximately 4 times more than CDCA, per thousand gallons. Since this will be an aging plant, we can expect maintenance costs to increase.

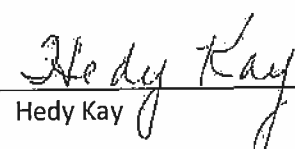
Therefore, I have the following questions looking for a written response to:

- What are the detailed plans on the modification of Camelot Pump Station #6 to increase it to approximately 3+ times its daily flow, including the expected disruption, increased noise and unpleasant odors to our community at Springton Pointe Woods and potential cost to us?
- There was an alternate solution proposed by Kelly Engineers as part of the prior 537 Plan, to install a pumping station on West Chester Pike at the Marville Property, and then send the sewage down West Chester Pike to Rt. 252. It seems to have made more sense to have commercial sewage to come through industrial and major roads versus private residential neighborhoods, especially when we understood that the builder(s) involved were willing to pay part of the additional cost? Why isn't this plan currently being considered?
- What is the detailed plan to increase the backup generator support for the larger Camelot Pump Station(s)?
- Please explain the advantages in retaining the SPE Plant for 5+ years compared to the disadvantages of the Treatment Plants additional cost, and the additional drainage problems which would remain if the plan is for SPE plant to remain open.

I look forward to the response to these concerns and questions, since I personally am very concerned as to the effect this 537 Sewer Plan 2012 will have on my taxes, house and property value, the potential increase in the bad odors, noise and effect on my health. What I find most confusing is the prior plan doesn't even appear as an alternative, which seems to make the most sense in keeping commercial sewerage down major streets vs. flowing it through private wooded residential communities. I agree with all the other modifications of the latest 537 Sewer Plan such as additional residential sewerage coming through Camelot not requiring additional increase beyond its current rated capacity.

Sincerely,


Mark L. Kay


Hedy Kay

cc. Elizabeth Mahoney, DEP
Joseph Catania, Chairman of BOS
H. Ross Lambert, Vice-Chairman of BOS
George Wood, BOS Member
Ed Patridge, BOS Member
John Nawn, BOS Member
Richard Sokorai, Solicitor

Jerzy and Susan Sliwinski
512 Arthur Court
Newtown Square, PA 19073
jsliwinski_19087@yahoo.com

Mike Trio, Manager
Newtown Township
209 Bishop Hollow Rd.
Newtown Square, PA 19073

Subject: Comments on the 537 Sewer Plan 2012 for Newtown Township

Mr. Trio,

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The problems and issues I have with this Plan as best as I can understand it, are as follows:

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- Confused how the Camelot Sewer Pump Station can actually exist less than 75 feet from the closest physical house and yet be considered for a 3+ times increase in its current flow. I thought there is a requirement in our Town of any sewer pump station to be at least 200 feet from any residential home?
- With greater gallons planned to pass through Camelot Pump Station #6, we expect the noise will extend over longer hours.
Specifically, how will the Township resolve issues of odors and noise?
- There is the statement in the current Plan that the Station will need to be *modified* but no detailed explanation as to the cost, effect and how in respect to digging, adding another station or replacing the current one with a larger one, replacing the piping to Rt. 252 or adding another line, etc. We assume this will require extensive digging down Stoney Brook Boulevard and through our neighborhood to Camelot.
- There is no mention of how the backup generator power source will be increased to handle the larger pump station proposed flow, knowing if there is a power failure the problem, it will be at least 3+ times bigger problem.
- Creates a personal impact as to the value of my home for refinancing and selling in the future, besides daily living.
- There has been a history of groundwater issues in SPW, and there have been groundwater (flooding) problems reported. The SPE treatment plant discharges 35,000 GPD, and the treated sewage goes to seepage beds near Wiltshire. We were told by an engineer that the seepage beds were designed to be a temporary solution. Now, the current 537 Sewer Plan has notes stating the intention of retaining the SPE treatment plant for 5+ years.

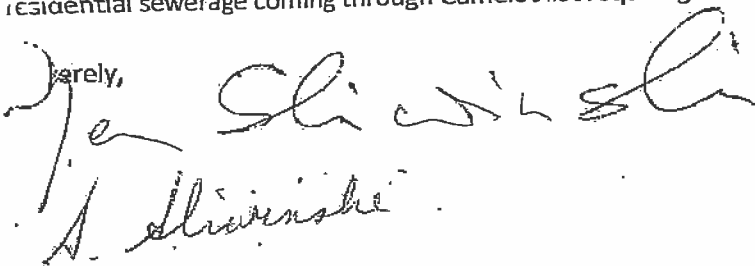
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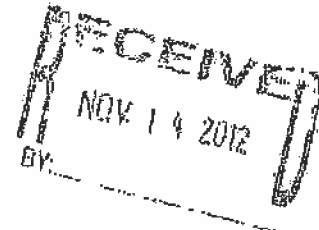


Jerzy and Susan Sliwinski

cc. Elizabeth Mahoney, DEP
 Richard Sokorai, Town Solicitor
 Joseph Catania
 H. Ross Lambert
 George Wood
 Ed Partridge -
 John Nawn -

November 12, 2012

Arzy and Susan Sliwinski
312 Arthur Court
Newtown Square, PA 19073
Ssliwinski_19087@yahoo.com



Mike Trio, Manager
Newtown Township
209 Bishop Hollow Rd.
Newtown Square, PA 19073

Subject: Comments on the 537 Sewer Plan 2012 for Newtown Township

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- There has been a history of groundwater issues in Springton Pointe Woods, and there have been groundwater (flooding) problems reported. The Springton Pointe treatment plant (SPWWTP) has a 35,000 GPD capacity, and the treated sewage goes to seepage beds near Wiltshire. We were told by an engineer that the seepage beds were designed to be a temporary solution. Now, the current 537 Sewer Plan has notes stating the intention of retaining the SPWWTP plant for 5+ years.

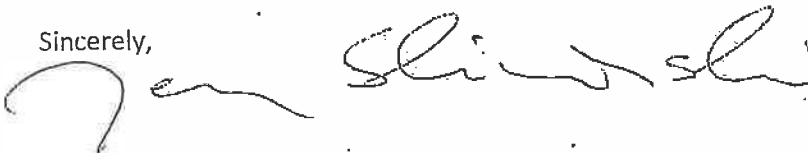

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Therefore, I have the following questions looking for a written response to:

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I look forward to the response to these concerns and questions, since I personally am very concerned as to the effect this 537 Sewer Plan 2012 will have on my taxes, house and property value, the potential increase in the bad odors, noise and effect on my health. What I find most confusing is the prior plan doesn't even appear as an alternative, which seems to make the most sense in keeping commercial sewerage down major streets vs. flowing it through private wooded residential communities.

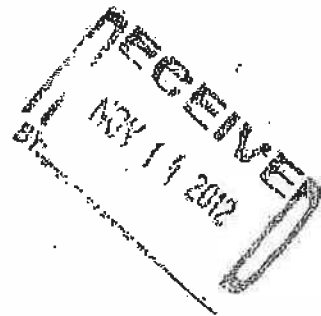
Sincerely,

Jerzy and Susan Sliwinski

cc. Elizabeth Mahoney, DEP

Jonathan Hoffman
117 Camelot Lane
Newtown Square, PA 19073
Jonhoffman117@gmail.com



November 12, 2012

Mike Trio, Manager
Newtown Township
209 Bishop Hollow Rd.
Newtown Square, PA 19073

Subject: Comments on the 537 Sewer Plan 2012 for Newtown Township

Mr. Trio,

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Specifically, how will the Township resolve issues of odors and noise?
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Sincerely,


Jonathan Hoffman

cc Elizabeth Mahoney, DEP
Richard Sokorai, Esq.
Board of Supervisors

Karen L. Bogosian
129 Camelot Lane
Newtown Square, Pa 19073
kbogosian@visualsound.com



November 11, 2012

Mike Trio, Manager
Newtown Township
209 Bishop Hollow Rd.
Newtown Square, PA 19073

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Karen L. Bogosian, House located 50-75 yards from Camelot Pumping Station

cc: Elizabeth Mahoney, DEP

Richard Sokorai

Joseph Catania

H. Ross Lambert

George Wood

Ed Partridge

John Nawn

RECEIVED

NOV 15 2012

November 14, 2012

Mr. and Mrs. William H. Albrecht, III
126 Camelot Lane
Newtown Square, PA 19073
ba.pharma@verizon.net
chris5713@verizon.net

Mike Trio, Manager
Newtown Township
209 Bishop Hollow Rd.
Newtown Square, PA 19073

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William H. Albrecht, III
Christine M. Albrecht
 William H. Albrecht, III
 Christine M. Albrecht

cc. Elizabeth Mahoney, DEP
 cc Richard Sokorai
 cc H Ross Lambert

Richard Alan Winig
412 Merlin Road
Newtown Square, PA 19073



November 14, 2012

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Newtown Township
209 Bishop Hollow Road
Newtown Square, PA 19073

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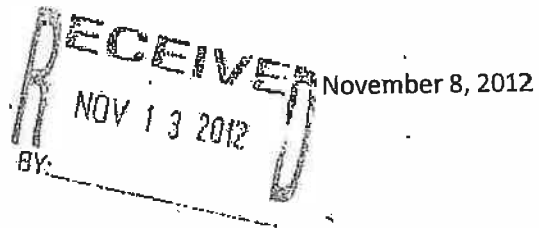
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Richard A. Winig



Arthur R Ersner
202 Excalibur Drive
Newtown Square, Pa. 19073
a.ersner@verizon.net

Mike Trio, Manager
Newtown Township
209 Bishop Hollow Rd.
Newtown Square, PA 19073

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Sincerely,



Arthur R. Ersner

cc. Elizabeth Mahoney, DEP

November 9, 2012

Al & Cathy Scallon
610 Wiltshire Lane
Newtown Square, PA 19073
scaljr@aol.com



Mike Trio, Manager
Newtown Township
209 Bishop Hollow Rd.
Newtown Square, PA 19073

Subject: Comments on the 537 Sewer Plan 2012 for Newtown Township

Mr. Trio,

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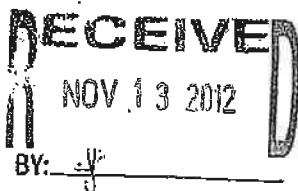
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Sincerely,



Your name(s)

cc. Elizabeth Mahoney, DEP



November 13 2012

Your Name SUSAN RICHARD GORDON
Your Full Address 308 ARTHUR COURT
City, State and Zip NEWTOWN SQUARE, PA 19073-4426
Email address Susan00027@yahoo.com

Mike Trio, Manager
Newtown Township
209 Bishop Hollow Rd.
Newtown Square, PA 19073

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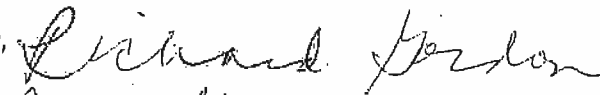

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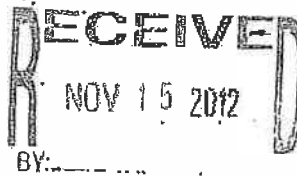
Sincerely, 


Your name(s)

308 ARTHUR CT

cc. Elizabeth Mahoney, DEP *(this is the required minimum cc list, however recommend adding all the others and sending separate letters to them all having them all see the entire CC list – Also recommend you send receipt required to make sure they get them via USPS or any other service, but not required.)*

November 12, 2012



Robert Ruggieri
318 Arthur Ct
Newtown Square Pa 19073
rfruggieri@yahoo.com

Mike Trio, Manager
Newtown Township
209 Bishop Hollow Rd.
Newtown Square, PA 19073

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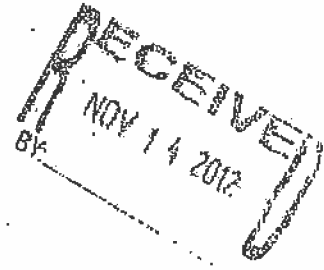


Your name(s)

November 12, 2012

Mary and Martin Brennan
113 Camelot Lane
Newtown Square, Pa 19073

Mike Trio, Manager
Newtown Township
209 Bishop Hollow Rd.
Newtown Square, PA 19073



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Mary and Martin T Brennan

cc. Elizabeth Mahoney

November, 09 2012



Thomas F Carr and Barbara N Carr
222 Excalibur Drive
Newtown Square Pa, 19073
tobabcar@aol.com

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Newtown Township
209 Bishop Hollow Rd.
Newtown Square, PA 19073

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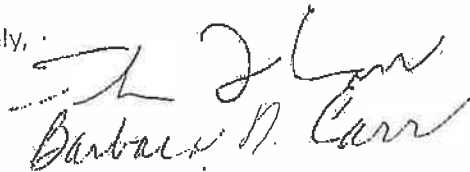
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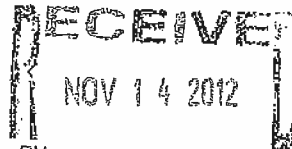
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Sincerely,


Barbara D. Carr

cc. Elizabeth Mahoney, DEP



BY: _____ November __, 2012

Eung Ryong Choi / Youngok Choi
314 Arthur court
Newtown Square, PA 19073

Email address: youngok.choi@comcast.net

Mike Trio, Manager
Newtown Township
209 Bishop Hollow Rd.
Newtown Square, PA 19073

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Eung Ryong Choi
Youngok Choi



[Print](#)

Subject: FW: 537 Sewer P Lan Questions to Comment Period for Newtown Township
From: Mike Trio <triom@newtowntwpdelco.org>
Sent: Thursday, November 15, 2012 4:51:08 PM
To: hem.engineers.dporter@verizon.net

From: Mark L Kay (personal) [mailto:marklkay@verizon.net]
Sent: Thursday, November 15, 2012 3:58 PM
To: Mike Trio
Cc: jcatania@frontrowlaw.com; gummydoc@aol.com; georgeesc@aol.com; ed.partridge@verizon.net; janawn64@gmail.com; rsokorai@highswartz.com; emahoney@state.pa.us; 'Louis Dolente III'; ssliwinski@gmail.com
Subject: 537 Sewer P Lan Questions to Comment Period for Newtown Township

Michael

Attached is the Response to the Comment Period for the latest 537 Newtown Township Sewer Plan from the Springton Pointe Woods Condominium Association. Besides the letter, we also attached a letter sent to Mr. Sheldrake in 2006, which is referred to in our Response. This is a duplicate of the letter we sent by physical mail a few days ago and am aware a number of our Homeowners and Taxpayers are also sending letters.

We look forward to your responses,

Thanks

Lou Dolente III

November 15, 2012

Lou Dolente, President of SPW Condominium Association
221 Excalibur Drive
Newtown Square, PA 19073
marklkay@verizon.net

Mike Trio, Manager
Newtown Township
209 Bishop Hollow Rd.
Newtown Square, PA 19073

Subject: Comments on the 537 Sewer Plan 2012 for Newtown Township

Dear Mr. Trio,

As the President of the Springton Pointe Woods Condominium Association representing 152 units and approximately 300 plus voters we have some major concerns and issues with the revised 537 Sewer Plan out for discussion. We have the following comments, questions and concerns relating to the latest 2012 modified 537 Sewer Plan. We do appreciate all the hard work you and the Town put into this Plan, getting it to this point for our comments. In summary we disagree with this newly revised 537 Sewer Plan as written, which appears to have major disruptions, ongoing concerns, omissions and negative effects to our private residential Community and those neighboring us, especially Springton Pointe Estates now and in the future.

The problems and issues we have with this Plan as best as I can understand it, are as follows:

- We sent a letter to Elizabeth Mahoney of the DEP and copies to the BOS members, that we never had a response to. The attached letter states the history of groundwater issues in SPW. There have been groundwater (flooding) problems reported. The SPE treatment plant discharges 35,000 GPD, and the treated sewage goes to seepage beds near Wiltshire. We were told by an engineer that the seepage beds were designed to be a temporary solution. Now, the current 537 Sewer Plan has notes stating the intention of retaining the SPE treatment plant for 5+ years. We require a response to this issue which minimally requires a thorough formal and reported investigation of these problems and required solution.
- The original plan was to phase out the SPE treatment plant, because of its high cost. In 2010, the treatment plant was costing approximately 4 times more than CDCA, per thousand gallons. Since this will be an aging plant, we can expect maintenance costs to increase.
- There have been several complaints from homeowners to the Association and Township regarding the Camelot Pump Station's noise and smells, yet the response in the latest 537 Sewer Plan is a plan to greatly increase the Pump Station flow to include residential and commercial property, which would require increasing the maximum capacity to handle 586,860 GPD of sewage. Our 7-Party sewer agreement describes a design to convey up to a maximum of 330,950 gallons per day. The 2012 Plan requires a Pump Station expansion or addition as noted in the latest Plan with no details.
- Confused how the Camelot Sewer Pump Station can actually exist less than 75 feet from the closest physical house and yet be considered for a 3+ times increase in its current flow. I thought there is a requirement in our Town of any sewer pump station to be at least 200 feet from any residential home?

- With greater gallons planned to pass through Camelot Pump Station #6, we expect the noise will extend over longer hours.
- There is the statement in the current Plan that Camelot Pump Station #6 will need to be *modified* but no detailed explanation as to the cost, effect and how in respect to digging, adding another station or replacing the current one with a larger one, replacing the piping to Rt. 252 or adding another line, etc. We assume this will require extensive digging down Stoney Brook Boulevard and through our neighborhood to Camelot.
- There is no mention of how the backup generator power source will be increased to handle the larger pump station proposed flow, knowing if there is a power failure, it will be at least 3+ times bigger problem.
- Creates a personal impact as to the value of our Community's homes for refinancing and selling in the future, besides daily living.

Therefore, I have the following questions looking for a written response to:

- We require a response to the attached letter of request to eliminate the SPE Treatment Plant, sent in 2010 and now resending it as a question and issue critical to the modified 537 Sewer Plan, as part of this Open Comment period since it was never responded to and must be reckoned with for public health, flooding and prior written commitments..
- What are the detailed plans on the modification of Camelot Pump Station #6 to increase it to approximately 3+ times its daily flow, including the expected disruption, increased noise and unpleasant odors to our community at Springton Pointe Woods and potential cost to us?
- There was an alternate solution proposed by Kelly Engineers as part of the prior 537 Plan, to install a pumping station on West Chester Pike at the Marville Property, and then send the sewage down West Chester Pike to Rt. 252. It seems to have made more sense to have commercial sewage to go through industrial and major roads versus private residential neighborhoods, especially when we understood that the builder(s) involved were willing to pay part of the additional cost? Why isn't this plan currently being considered? This alternative would then once again, allow for the elimination of the SPE Treatment Plant.
- What is the detailed plan to increase the backup generator support for the larger Camelot Pump Station(s)?
- Please explain the advantages in retaining the SPE Plant for over 5 years compared to the disadvantages of the Treatment Plants additional cost, and the additional drainage problems which would remain if the plan is for SPE plant to remain open.
- How can the current and to be modified Camelot Pump Station #6 exist approximately 73 ft. from the nearest home, when we believe the town requires at least 200ft? Especially if it is going to be modified to handle 3 plus times the total gallons it now processes?
- What is the Plan to increase the backup generators for the Camelot Pump Station as it is modified?

We look forward to the response to these concerns and questions in representing SPW Condominium Association, since we are personally am very concerned as to the effect this 537 Sewer Plan 2012 will have on our taxes, house and property value, the potential increase in the bad odors, noise and effect on the Community's health. What we find most confusing is the prior plan doesn't even appear as an alternative, which seems to make the most sense in keeping commercial sewerage down major streets vs. flowing it through private wooded residential communities. I agree with all the other modifications

of the latest 537 Sewer Plan such as additional residential sewerage (Hunter's Run) coming through Camelot not requiring additional increase beyond its current rated capacity.

Sincerely,

s/n/ Lou Dolente
President of the SPW Condominium Association

cc. Elizabeth Mahoney, DEP
Joseph Catania, Chairman of BOS
H. Ross Lambert, Vice-Chairman of BOS
George Wood, BOS Member
Ed Patridge, BOS Member
John Nawn, BOS Member
Richard Sokorai, Solicitor

November 12, 2012

Lou Dolente, President of SPW Condominium Association
221 Excalibur Drive
Newtown Square, PA 19073
marklkay@verizon.net

Mike Trio, Manager
Newtown Township
209 Bishop Hollow Rd.
Newtown Square, PA 19073



Subject: Comments on the 537 Sewer Plan 2012 for Newtown Township

Dear Mr. Trio,

As the President of the Springton Pointe Woods Condominium Association representing 152 units and approximately 300 plus voters we have some major concerns, questions and issues with the revised 537 Sewer Plan out for discussion. We do appreciate all the hard work you and the Town put into this Plan, getting it to this point for our open comment period. In summary, we disagree with this newly 2012 revised 537 Sewer Plan as written, which appears to have major disruptions, ongoing concerns, omissions and negative effects to our private residential Community (Springton Pointe Woods) and those neighboring us, especially Springton Pointe Estates now and in the future.

The concerns, problems and issues we have with this Plan as best as we can understand it, are as follows:

- With greater gallons planned to pass through Camelot Pump Station #6, we expect the noise and bad odors will extend over longer hours of each and every day.
- There have been many complaints from homeowners to the Association and Township regarding the Camelot Pump Station's noise and smells, yet the response in the latest 537 Sewer Plan is a plan to greatly increase the Pump Station flow to include residential and largely commercial property, which would require increasing the maximum capacity to handle 586,860 GPD of sewage. Our 7-Party sewer agreement describes a design to convey up to a maximum of 330,950 gallons per day of which it handles about half today. The 2012 Plan requires a Pump Station expansion or addition as loosely stated in the latest Plan with no details.
- Confused how the Camelot Sewer Pump Station can actually exist less than 75 feet from the closest physical house and yet be considered for a 3+ times increase in its current flow. I thought there is a requirement in our Town of any sewer pump station to be at least 200 feet from any residential home?
- There is the statement in the current Plan that Camelot Pump Station #6 will need to be *modified* but no detailed explanation as to the cost, effect and how in respect to digging, adding another station or replacing the current one with a larger one, replacing the piping to Rt. 252 or adding another line, etc. We assume this will require extensive digging down Stoney Brook Boulevard and through our neighborhood to Camelot.
- There is no mention of how the backup generator power source will be increased to handle the larger pump station proposed flow, knowing if there is a power failure; it will be at least 3+ times bigger problem.

- Creates a personal impact as to the value of our Community's homes for refinancing and selling in the future, besides daily living, thereby potentially lowering the value of living in Newtown Square.
- As SPW Board President, I sent a letter to Jim Sheldrake, the Newtown Township Manager on July 6th, 2010, and received an inadequate response by the Township's Engineer, Kelly & Close on August 4th, 2010, which basically ignored our concerns. The attached letter that I sent in 2010 describes the history of groundwater issues in SPW that shouldn't have and still can't be ignored. There have been groundwater (flooding) problems reported. The SPE treatment plant discharges 35,000 GPD; and the treated sewage goes to seepage beds near Wiltshire. We were told by an engineer that the seepage beds were designed to be a temporary solution. In fact, the 2009 Newtown Township Plan provided for the elimination of the Springton Pointe Wastewater Treatment Facility. Now, the 2012 current 537 Sewer Plan has notes in the flow chart stating the intention of retaining the SPE treatment plant for 5+ more years. We require a detailed response addressing exactly this issue, which minimally requires a thorough formal and reported investigation of these problems as required. In fact, DEP wrote a letter to the Township on November 20th, 2010 also asking why this Treatment Plant was not being phased out.
- The original 537 Sewer Plan in 2009 was to phase out the SPE treatment plant, because of its high cost and temporary intent. In 2010, the treatment plant was costing approximately 4 times more per thousand gallons than CDCA. Since this will be an aging plant, we can expect maintenance costs to increase further. When Kelly & Close stated that Springton Pointe Estates will benefit from the economy of scale by the increased users of the CDCA system, we interpret this to mean that even though the SPE system is costly, these elevated costs will be spread out among an increasing larger community within SR3, so they will appear to be only a little more per household. However, if the SPE Treatment Plant is eliminated as originally planned for all the right reasons, then all of SR3 will benefit from greater reduced rates sooner, versus increasing.

Therefore, I have the following questions looking for a written response to:

- What are the detailed plans on the modification of Camelot Pump Station #6 to increase it to approximately 3+ times its daily flow, including the expected disruption, increased noise and unpleasant odors to our community at Springton Pointe Woods and potential cost to us?
- There was an alternate solution proposed by Kelly Engineers as part of the two prior 537 Plans, to install a pumping station on West Chester Pike at the Marville Property, and then send the sewage down West Chester Pike to Rt. 252. It seems to have made more sense to have commercial sewage to go through industrial and major roads versus private residential neighborhoods, especially when we understood that the builder(s) involved were willing to pay part of the additional cost. Why isn't this plan currently being considered let alone the primary plan? This alternative would then once again, allow for the elimination of the SPE Treatment Plant.
- How can the current and to be modified Camelot Pump Station #6 exist approximately 73 ft. from the nearest home, when we believe the town requires at least 200ft? Especially if it is going to be modified to handle 3 + times the total gallons it now processes?
- What is the Plan to increase the backup generators for the Camelot Pump Station as it is modified?

- We require an adequate detailed response to our attached 2010 letter (versus the non-detailed response received on August 4th, 2010 from Kelly & Close), where the Association requested to eliminate the SPE Treatment Plant, as a critical question and issue to the 2012 modified 537 Sewer Plan as part of this Open Comment period. This issue must be reckoned with for public health, flooding, reducing costs and prior written intentions to convert the SPE Treatment Plant to CDCA by the Board of Supervisors noted in the minutes of the meeting on December 22, 2004 and in a previous 2009 Newtown Township 537 Plan.

We look forward to the responses to these concerns, questions and issues in representing SPW Condominium Association, since we are personally very concerned as to the effect this latest 537 Sewer Plan will have on our taxes, houses, property value, the potential increase in the bad odors, noise and effect on the Community's health. What we find most confusing is the prior 2009 alternative to eliminate the SPE Treatment Plant and run most of the new sewage gallons along Westchester Pike and down Route 252, doesn't even appear as an alternative, which seems to make the most sense in keeping commercial sewerage down major streets vs. flowing it through private wooded residential communities. However, we do agree with all the other modifications in the latest 537 Sewer Plan, such as additional residential sewerage (Hunter's Run) coming through Camelot not requiring additional increase beyond its current rated capacity.

Sincerely,



Lou Dolente
President of the SPW Condominium Association

cc. Elizabeth Mahoney, DEP
Joseph Catania, Chairman of BOS
H. Ross Lambert, Vice-Chairman of BOS
George Wood, BOS Member
Ed Patridge, BOS Member
John Nawn, BOS Member
Richard Sokorai, Solicitor

221 Excalibur Drive
Newtown Square, PA 19073

July 6th, 2010

Mr. Jim Sheldrake
Newtown Township Manager
209 Bishop Hollow Road
Newtown Square, PA 19073

Re: Response to Open Comments for the revised 537 Plan

Mr. Jim Sheldrake,

In regards to the invitation of Open Comments for the new Revised 537 Plan for Newtown Square, following are our Open Comments and serious concern representing the 152 units and approximately 300 plus voters at Springton Pointe Woods and many others in Newtown Square SR#3 that are connected to the Springton Pointe Treatment Plant:

Our most serious concern is that the new Revised 537 Plan, which after reading, clearly dropped plans and promises for eliminating the Springton Pointe Treatment Plant and connecting these effected homes to a pump station to go to CDCA as previously committed to in the original 537 Plan based on critical engineering recommendations.

A principle concern was related to the questions about groundwater. As the Springton Pointe Woods' Board President, I discussed some serious groundwater (flooding) problems with the Township (see attached "History of Groundwater Issues") over the past few years. Springton Pointe Woods had three (3) homes with flooding problems that we know about and other homes with ground water issues and over-active sump-pumps. Approximately 35,000 gallons are handled by the SPE Treatment Plant and then the treated sewage goes to seepage beds near Camelot. (The Treatment Plant has a maximum capacity for 150,000 gallons - and the Township could add developments to this Plant, over time making the situation even worse). We would like to see this sewage piped away as originally planned and told to the residents who live in this area. Mr. Custer (a former Board of Supervisor) stated "when the Seven Party Agreement was signed, it was agreed that the plant would only be operated for a number of years, and then phased out because of its high cost." Following is critical input from Pat Considine, a Geologist/Hydrologist expert:

"If the SPE treatment plant is discharging 35,000 gpd in the immediate vicinity of the Camelot development, it is very likely to be impacting water levels in that area. Incidentally, not only is the water table shallow beneath the site area, but the coefficient of storage in the aquifer is very low. Am I correct in assuming that somebody must have completed a mounding analysis in order to secure the discharge permit."

I as the President of the Springton Pointe Condo Association request to see a copy of the mounding analysis report, if or when it is completed."

Following are additional reasons why the homes must be included in the new Revised 537 Plan to connect them to CDCA as originally incorporated and promised:

1) Cost - The treatment plant is currently costing approx \$12.26 per thousand gallons. In 2008, CDCA was charging \$2.69 per thousand gallons. This is a substantial cost benefit for homeowners living in SR3.

2) We have learned from people involved at the time, that the Springton Pointe Estate's Treatment Plant was designed as a temporary solution. Based on all the experts comments referred to in this letter, there will most likely be unexpected additional expenses and emergencies because of this exclusion, at a greater cost than inclusion in the new Revised 537 Plan as discussed over the years and promised by the Township. I am also attaching some articles from the local news regarding past issues and reservations regarding the Springton Pointe Treatment Plant.

In conclusion, as concerned and long term residences of Newtown Square, our Open Comments in regard to the new Revised 537 Plan require a thorough formal and reported investigation of these problems and required solution, that were part of the original 537 Plan and appear to have been dropped without any explanation or validation as to why. This creates a totally unacceptable 537 Plan, which forces a prior temporary solution to become permanent by default and potentially aggravates ground water problems that can be a public health problem. We look forward to your immediate response to these critical Open Comments and further modifications to the new Revised 537 Plan to address this omission. Therefore, I require a meeting to discuss this further, so we best understand how these critical issues will be dealt with and hopefully restated in the revised 537 Plan, as previously promised and required.

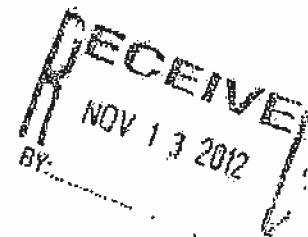
Sincerely,



Lou Dolente

President of the SPW Condominium Association

Cc: Elizabeth Mahoney



November 8, 2012

Scott and Susan Odell
128 Camelot Lane
Newtown Square, PA 19073
ScottOdellDMD@aol.com

Mike Trio, Manager
Newtown Township
209 Bishop Hollow Rd.
Newtown Square, PA 19073

Subject: Comments on the 537 Sewer Plan 2012 for Newtown Township

Mr. Trio,

As a Newtown Square homeowner and taxpayer I have the following comments, questions and concerns relating to the latest 2012 modified 537 Sewer Plan. I do appreciate all the hard work you and the Town put into this Plan, getting it to this point for our comments. In summary I disagree with this newly revised 537 Sewer Plan as written, which appears to have major disruptions, ongoing concerns and negative effects to my and all of my neighbors private residential property now and in the future.

The problems and issues I have with this Plan as best as I can understand it, are as follows:

- There have been several complaints from homeowners to the Association and Township regarding the Camelot Pump Station's noise and smells, yet the response in the latest 537 Sewer Plan is a plan to greatly increase the Pump Station flow to include residential and commercial property, which would require increasing the maximum capacity to handle 586,860 GPD of sewage. Our 7-Party sewer agreement describes a design to convey up to a maximum of 330,950 gallons per day. The 2012 Plan requires a Pump Station expansion or addition as noted in the latest Plan with no details.
- Confused how the Camelot Sewer Pump Station can actually exist less than 75 feet from the closest physical house and yet be considered for a 3+ times increase in its current flow. I thought there is a requirement in our Town of any sewer pump station to be at least 200 feet from any residential home?
- With greater gallons planned to pass through Camelot Pump Station #6, we expect the noise will extend over longer hours.
Specifically, how will the Township resolve issues of odors and noise?
- There is the statement in the current Plan that the Station will need to be *modified* but no detailed explanation as to the cost, effect and how in respect to digging, adding another station or replacing the current one with a larger one, replacing the piping to Rt. 252 or adding another line, etc. We assume this will require extensive digging down Stoney Brook Boulevard and through our neighborhood to Camelot.

- There is no mention of how the backup generator power source will be increased to handle the larger pump station proposed flow, knowing if there is a power failure the problem will be at least a 3+ times bigger problem.
- Creates a personal impact as to the value of my home for refinancing and selling in the future, besides daily living.
- There has been a history of groundwater issues in SPW, and there have been groundwater (flooding) problems reported. The SPE treatment plant discharges 35,000 GPD, and the treated sewage goes to seepage beds near Wiltshire. We were told by an engineer that the seepage beds were designed to be a temporary solution. Now, the current 537 Sewer Plan has notes stating the intention of retaining the SPE treatment plant for 5+ years.
- The original plan was to phase out the SPE treatment plant, because of its high cost. In 2010, the treatment plant was costing approximately 4 times more than CDCA, per thousand gallons. Since this will be an aging plant, we can expect maintenance costs to increase.

Therefore, I have the following questions looking for a written response to:

- What are the detailed plans on the modification of Camelot Pump Station #6 to increase it to approximately 3+ times its daily flow, including the expected disruption, increased noise and unpleasant odors to our community at Springton Pointe Woods and potential cost to us?
- There was an alternate solution proposed by Kelly Engineers as part of the prior 537 Plan, to install a pumping station on West Chester Pike at the Marville Property, and then send the sewage down West Chester Pike to Rt. 252. It seems to have made more sense to have commercial sewage to come through industrial and major roads versus private residential neighborhoods, especially when we understood that the builder(s) involved were willing to pay part of the additional cost? Why isn't this plan currently being considered?
- What is the detailed plan to increase the backup generator support for the larger Camelot Pump Station(s)?
- Please explain the advantages in retaining the SPE Plant for 5+ years compared to the disadvantages of the Treatment Plants additional cost, and the additional drainage problems which would remain if the plan is for SPE plant to remain open.

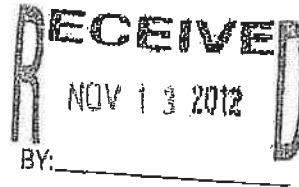
I look forward to the response to these concerns and questions, since I personally am very concerned as to the effect this 537 Sewer Plan 2012 will have on my taxes, house and property value, the potential increase in the bad odors, noise and effect on my health. What I find most confusing is the prior plan doesn't even appear as an alternative, which seems to make the most sense in keeping commercial sewerage down major streets vs. flowing it through private wooded residential communities. I agree with all the other modifications of the latest 537 Sewer Plan such as additional residential sewerage coming through Camelot not requiring additional increase beyond its current rated capacity.

Sincerely,



Scott and Susan Odell

cc. Elizabeth Mahoney, DEP



November 9, 2012

From: Michael J. Stapf, 525 Guinevere Drive, Newtown Square, PA 19073

To: Mike Trio, Newtown Township, 209 Bishop Hollow Rd., Newtown Square, PA
19073

Subject: Comments on the 537 Sewer Plan 2012 for Newtown Township

Gentlemen:

As a Newtown Square homeowner and taxpayer I have the following comments, questions and concerns relating to the latest 2012 modified 537 Sewer Plan. I do appreciate all the hard work you and the Town put into this Plan, getting it to this point for our comments. In summary I disagree with this newly revised 537 Sewer Plan as written, which appears to have major disruptions, ongoing concerns and negative effects to the Springton Pointe Woods residential community.

I perceive the problems this plan would create to be as follows:

- I understand there have been several complaints from homeowners to the Association and Township regarding the Camelot Pump Station's noise and smells, yet the response in the latest 537 Sewer Plan is a plan to greatly increase the Pump Station flow to include residential and commercial property, which would require increasing the maximum capacity to handle 586,860 GPD of sewage. Our 7-Party sewer agreement describes a design to convey up to a maximum of 330,950 gallons per day. The 2012 Plan requires a Pump Station expansion or addition as noted in the latest Plan with no details.
- Confused how the Camelot Sewer Pump Station can actually exist less than 75 feet from the closest physical house and yet be considered for a 3+ times increase in its current flow. I thought there is a requirement in our Town of any sewer pump station to be at least 200 feet from any residential home? Our residential community should not be a site for industrial wastewater treatment in my judgement.
- With greater gallons planned to pass through Camelot Pump Station #6, we expect the noise will extend over longer hours. How will the Township resolve the issues of increased noise and odors?
- There is the statement in the current Plan that the Station will need to be modified but no detailed explanation as to the cost, effect and how in respect

to digging, adding another station or replacing the current one with a larger one, replacing the piping to Rt. 252 or adding another line, etc. We assume this will require extensive digging down Stoney Brook Boulevard and through our neighborhood to Camelot.

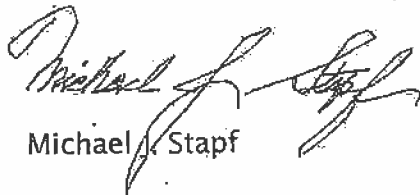
- There is no mention of how the backup generator power source will be increased to handle the larger pump station proposed flow, knowing if there is a power failure the problem, it will be at least 3+ times bigger problem.
- If enacted, this expansion may create a personal impact to the value of my home for refinancing and selling in the future.
- There has been a history of groundwater issues in SPW, and there have been groundwater (flooding) problems reported. The SPE treatment plant discharges 35,000 GPD, and the treated sewage goes to seepage beds near Wiltshire. We were told by an engineer that the seepage beds were designed to be a temporary solution. Now, the current 537 Sewer Plan has notes stating the intention of retaining the SPE treatment plant for 5+ years.
- The original plan was to phase out the SPE treatment plant, because of its high cost. In 2010, the treatment plant was costing approximately 4 times more than CDCA, per thousand gallons. Since this will be an aging plant, we can expect maintenance costs to increase.

I would appreciate your addressing the following specific questions:

- What are the detailed plans on the modification of Camelot Pump Station #6 to increase it to approximately 3+ times its daily flow, including the expected disruption, increased noise and unpleasant odors to our community at Springton Pointe Woods and potential cost to us?
- There was an alternate solution proposed by Kelly Engineers as part of the prior 537 Plan, to install a pumping station on West Chester Pike at the Marville Property, and then send the sewage down West Chester Pike to Rt. 252. It seems to have made more sense to have commercial sewage to come through industrial and major roads versus private residential neighborhoods, especially when we understood that the builder(s) involved were willing to pay part of the additional cost? Why isn't this plan currently being considered?
- What is the detailed plan to increase the backup generator support for the larger Camelot Pump Station, and how will increased noise be mitigated?
- Please explain the advantages in retaining the SPE Plant for 5+ years compared to the disadvantages of the Treatment Plants additional cost, and the additional drainage problems which would remain if the plan is for SPE plant to remain open.

I look forward to the response to these concerns and questions, since I personally am very concerned as to the effect this 537 Sewer Plan 2012 will have on my taxes, house and property value, the potential increase in the bad odors, noise and effect on my health. What I find most confusing is the prior plan doesn't even appear as an alternative, which seems to make the most sense in keeping commercial sewerage down major streets vs. flowing it through private wooded residential communities. I am opposed to increasing the Camelot facility above its rated capacity.

Sincerely,



Michael J. Stapf

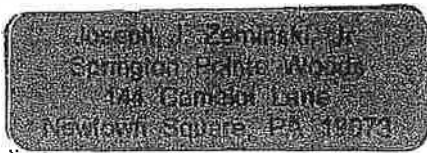
cc. Elizabeth Mahoney, DEP

Mark L. Kay, SPW Board

Susan Sliwinski, SPW Board

Ann DiGiacomo, WENTWORTH MGT

November 12, 2012



Mike Trlo, Manager
Newtown Township
209 Bishop Hollow Rd.
Newtown Square, PA 19073

Subject: Comments on the 537 Sewer Plan 2012 for Newtown Township

Mr. Trio,

As a Newtown Square homeowner and taxpayer I have the following comments, questions and concerns relating to the latest 2012 modified 537 Sewer Plan. I do appreciate all the hard work you and the Town put into this Plan, getting it to this point for our comments. In summary I disagree with this newly revised 537 Sewer Plan as written, which appears to have major disruptions, ongoing concerns and negative effects to my and all of my neighbors private residential property now and in the future.

The problems and issues I have with this Plan as best as I can understand it, are as follows:

- There have been several complaints from homeowners to the Association and Township regarding the Camelot Pump Station's noise and smells, yet the response in the latest 537 Sewer Plan is a plan to greatly increase the Pump Station flow to include residential and commercial property, which would require increasing the maximum capacity to handle 586,860 GPD of sewage. Our 7-Party sewer agreement describes a design to convey up to a maximum of 330,950 gallons per day. The 2012 Plan requires a Pump Station expansion or addition as noted in the latest Plan with no details.
- Confused how the Camelot Sewer Pump Station can actually exist less than 75 feet from the closest physical house and yet be considered for a 3+ times increase in its current flow. I thought there is a requirement in our Town of any sewer pump station to be at least 200 feet from any residential home?
- With greater gallons planned to pass through Camelot Pump Station #6, we expect the noise will extend over longer hours.
Specifically, how will the Township resolve issues of odors and noise?
- There is the statement in the current Plan that the Station will need to be *modified* but no detailed explanation as to the cost, effect and how in respect to digging, adding another station or replacing the current one with a larger one, replacing the piping to Rt. 252 or adding another line, etc. We assume this will require extensive digging down Stoney Brook Boulevard and through our neighborhood to Camelot.
- There is no mention of how the backup generator power source will be increased to handle the larger pump station proposed flow, knowing if there is a power failure the problem, it will be at least 3+ times bigger problem.

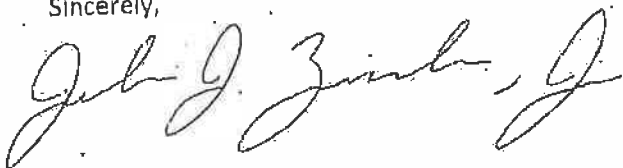
- Creates a personal impact as to the value of my home for refinancing and selling in the future, besides daily living.
- There has been a history of groundwater issues in SPW, and there have been groundwater (flooding) problems reported. The SPE treatment plant discharges 35,000 GPD, and the treated sewage goes to seepage beds near Wiltshire. We were told by an engineer that the seepage beds were designed to be a temporary solution. Now, the current 537 Sewer Plan has notes stating the intention of retaining the SPE treatment plant for 5+ years.
- The original plan was to phase out the SPE treatment plant, because of its high cost. In 2010, the treatment plant was costing approximately 4 times more than CDCA, per thousand gallons. Since this will be an aging plant, we can expect maintenance costs to increase.

Therefore, I have the following questions looking for a written response to:

- What are the detailed plans on the modification of Camelot Pump Station #6 to increase it to approximately 3+ times its daily flow, including the expected disruption, increased noise and unpleasant odors to our community at Springton Pointe Woods and potential cost to us?
- There was an alternate solution proposed by Kelly Engineers as part of the prior 537 Plan, to install a pumping station on West Chester Pike at the Marville Property, and then send the sewage down West Chester Pike to Rt. 252. It seems to have made more sense to have commercial sewage to come through industrial and major roads versus private residential neighborhoods, especially when we understood that the builder(s) involved were willing to pay part of the additional cost? Why isn't this plan currently being considered?
- What is the detailed plan to increase the backup generator support for the larger Camelot Pump Station(s)?
- Please explain the advantages in retaining the SPE Plant for 5+ years compared to the disadvantages of the Treatment Plants additional cost, and the additional drainage problems which would remain if the plan is for SPE plant to remain open.

I look forward to the response to these concerns and questions, since I personally am very concerned as to the effect this 537 Sewer Plan 2012 will have on my taxes, house and property value, the potential increase in the bad odors, noise and effect on my health. What I find most confusing is the prior plan doesn't even appear as an alternative, which seems to make the most sense in keeping commercial sewerage down major streets vs. flowing it through private wooded residential communities. I agree with all the other modifications of the latest 537 Sewer Plan such as additional residential sewerage coming through Camelot not requiring additional increase beyond its current rated capacity.

Sincerely,



November 12, 2012



Chan H. Park
111 Camelot Ln.
Newtown Square, PA. 19073
Email address—chanhpark37@gmail.com

Mike Trio, Manager
Newtown Township
209 Bishop Hollow Rd.
Newtown Square, PA 19073

Subject: Comments on the 537 Sewer Plan 2012 for Newtown Township

Mr. Trio,

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Sincerely,


Chan & Haingja Park



cc. Elizabeth Mahoney, DEP

November 11, 2012

Joseph & Rose Rigolizzo
109 Camelot Lane
Newtown Square, Pa. 19073
jrigolizzo@comcast.net

Mr. Mike Trio, Manager
Newtown Township
209 Bishop Hollow Rd.
Newtown Square, PA 19073



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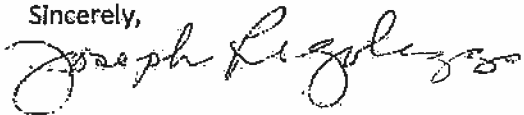
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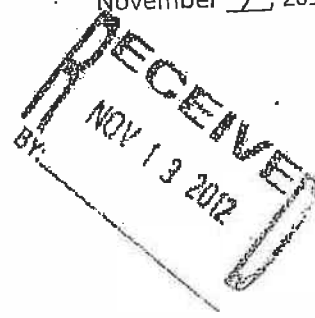
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Sincerely,



cc. Elizabeth Mahoney, DEP; Richard Sokorai; Joseph Catania; H. Ross Lambert; George Wood; Ed Partridge; John Nawn

November 9, 2012



Mr & Mrs Joseph Lebano
231 Excalibur Drive
Newtown Square, Pa, 19073
Jlebano@verizon.net,nlebano@verizon.net

Mike Trio, Manager
Newtown Township
209 Bishop Hollow Rd.
Newtown Square, PA 19073

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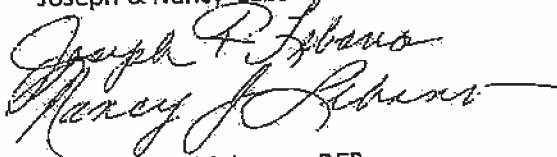
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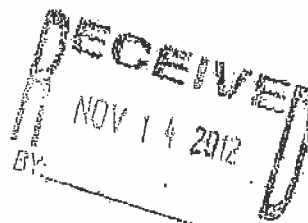
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cc: Elizabeth Mahoney, DEP



November __, 2012

Your Name

Your Full Address

City, State and Zip

Email address



Ms. Laura Keenan
507 Guinevere Dr
Newtown Sq, PA 19073-4433

laurali29@hotmail.com

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Newtown Township

209 Bishop Hollow Rd.

Newtown Square, PA 19073

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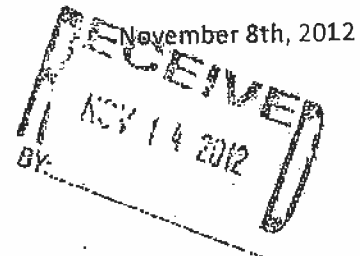
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Your name(s)

cc. Elizabeth Mahoney, DEP *(this is the required minimum cc list, however recommend adding all the others and sending separate letters to them all having them all see the entire CC list – Also recommend you send receipt required to make sure they get them via USPS or any other service, but not required.)*

Michael J. Brown
402 Merlin Road
Newtown Square, PA 19073
michabro@wexfordequities.com



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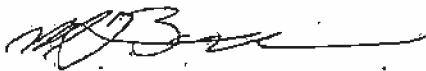
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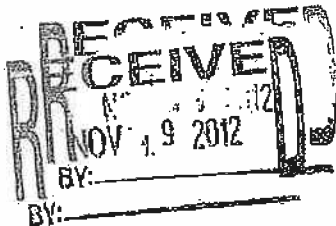
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November 11, 2012

Manfred Bierschwale
326 Arthur Court
Newtown Square, PA 19073-4426
E-mail: manerik@verizon.net

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209 Bishop Hollow Rd.
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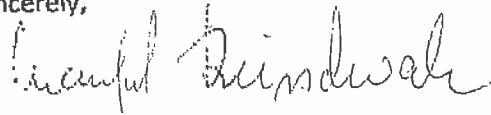
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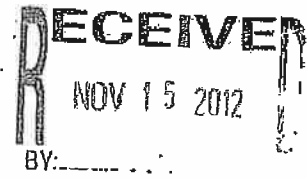
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A handwritten signature in cursive script, appearing to read "Michael Hindwaal".

Cc. Elizabeth Mahoney, DEP



Dr. & Mrs. John E. Balson
500 Guinevere Drive
Newtown Square, PA 19073
jnjbalson@aol.com

November 10, 2012

Mike Trio, Manager
Newtown Township
209 Bishop Hollow Rd.
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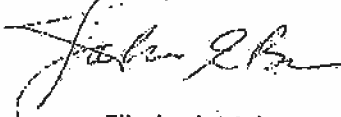
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Sincerely,



cc. Elizabeth Mahoney, DEP, Richard Sokorai,
Joseph Catania, H. Ross Lambert, George Wood,
Ed Partridge, John Nawn

November _10_, 2012

Robert Cato
121 Camelot Lane
Newtown Square, Pa 19073
rcato@rcatoinc.com



Mike Trio, Manager
Newtown Township
209 Bishop Hollow Rd.
Newtown Square, PA 19073

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 Joseph Caania- Chairman, 302 Oak Hill Ln, Newtown Square, Pa 19073
 H. Ross Lambert – Vice Chairman, 86 Hunters Run, Newtown Square, Pa 19073
 George Wood – 4018 Goshen Rd., Newtown Square, Pa. 19073

Ed Partridge – 4 Gartley Dr. Newtown Square, Pa 19073
John Nawn – 3772 School Lane, Newtown Square, Pa 19073

November _10_, 2012

Ruth Ann Cato
121 Camelot Lane
Newtown Square, Pa 19073
rcato@rcatoinc.com



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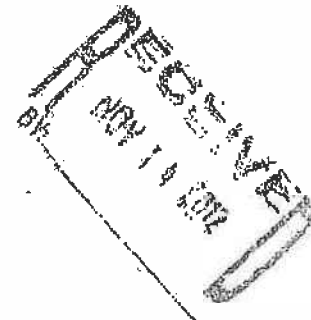
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Robert J. Pludo
527 Guinevere Drive
Newtown Square, PA 19073
bobpludo@gmail.com

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Newtown Square, PA 19073



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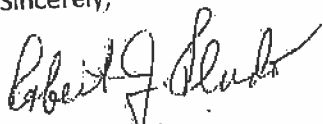
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Robert J. Plado

cc..Elizabeth Mahoney, DEP

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Mr. and Mrs. Sargeant
522 Guinevere Drive
Newtown Square, PA 19073
rcsargean@yahoo.com

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Newtown Square, PA 19073

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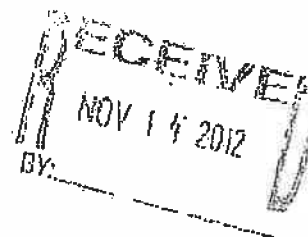
Debra Dargatz
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Nissen & Maureen Isakov

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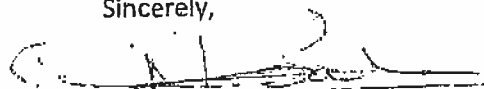
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PUBLIC COMMENTS AND RESPONSES (2)

(COMMENT PERIOD FEBRUARY 14, 2013 THROUGH MARCH 16, 2013)

BOARD OF SUPERVISORS

JOSEPH CATANIA, ESQ.
CHAIRMAN

EDWARD PARTRIDGE
VICE CHAIRPERSON

DR. H. ROSS LAMBERT
EDWARD PARTRIDGE
JOHN A. NAWN, P.E.
GEORGE WOOD ESQ.



Township of Newtown

209 Bishop Hollow Road
Newtown Square, PA 19073
610-356-0200

www.newtowntownship.org

MICHAEL TRIO, AICP
TOWNSHIP MANAGER

RICH SOKORAI, ESQ.
TOWNSHIP SOLICITOR

STANTEC, INC.
TOWNSHIP ENGINEER

BUILDING INSPECTION
UNDERWRITERS, INC.
BUILDING INSPECTOR

March 20, 2013

Marc and Terri Derita
336 Crum Creek Lane
Newtown Square, PA 19073

RE: Response to Public Comments
Act 537 Official Plan Update for
Newtown Township, Delaware County

Dear Mr and Mrs. Derita:

The Township is in receipt of your comments concerning the propose Act 537 Plan. The Townships responses to your comments are set forth below in bold.

We are writing to comment on the current 539 plan for the sewerage of locations in Newtown Township. We are residents of Echo Valley, 336 Crum Creek Lane. The current plan calls for a pump station, Goshen Rd pump station #3 that appears to be located at or very close to the cul-de sac at the end of Crum Creek Lane.

We are opposed to having the pump station located in any proximity to the cul de sac and are vehement that if it must be placed on the property of 4207 Goshen Rd or 341 Crum Creek Lane, that the access road to it be from Goshen Rd, and in no way will it be accessed via Crum Creek Lane.

The neighborhood children of Crum Creek Lane use the cul de sac as a play area. Currently there is very little traffic and they would be at risk for injury if the pump station maintenance crew comes weekly for service. The smell and noise of the pump station will also have a direct health impact on our children, as it will deter them from outside play anywhere near the pump station. My daughter suffers from migraine headaches, and cannot tolerate the extra stimuli that can potentially come from having this station near our home. Another impact of having this pump station placed in its current location is on our property values. We purchased our home with a septic system with no hope or need for sewer. Although we understand the need that some neighbors have for sewers, we feel that it is unfair to decrease our property value so that there's will increase.

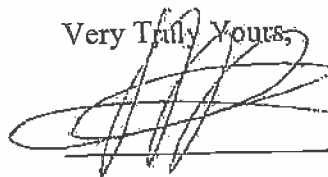
If you truly want the best scenario for all residents, prior to approval of this plan, please place the Goshen Road Pump Station as far as possible from our neighborhood as possible and have it accessed from Goshen Road NOT Crum Creek Lane! In fact, our

suggestion would be for it to be on the property of the Covered Bridge, for least amount of impact on our neighborhood!

Thank you for your time and attention to our concerns.

There is no reason to believe that locating a pump station on a property adjacent to the cul-de-sac will decrease the property value of existing homes on the cul-de-sac. Pump stations are common and necessary in residential communities for the treatment of sewage. In fact, access to public sewer will most likely increase your home value. The Township intends to use the highest quality pumps and technology to mitigate noise and smell as well as enclose the mechanicals in a small building that will be designed to coordinate with the aesthetics of the neighborhood. The access to the pump station will not create an unsafe traffic situation, and will cause far less traffic than created by the local residents, mail delivery, or other similar background traffic. In addition, if there are particularly bad times for scheduled maintenance, more convenient times can be coordinated.

Very Truly Yours,

A handwritten signature in dark ink, appearing to read 'Michael Trio', is written over a horizontal line.

Michael Trio, AICP
Newtown Township Manager

copy: File

Dear Mr. Trio,

We are writing to comment on the current 539 plan for the sewerage of locations in Newtown Township. We are residents of Echo Valley, 336 Crum Creek Lane. The current plan calls for a pump station, Goshen Rd pump station #3 that appears to be located at or very close to the cul de sac at the end of Crum Creek Lane.

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Thank you for your time and attention to our concerns.

Sincerely,

Marc and Terri DeRita

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TOWNSHIP ENGINEER

BUILDING INSPECTION
UNDERWRITERS, INC.
BUILDING INSPECTOR

March 20, 2013

Mrs. Patricia Wilson
4111 Battles Lane
Newtown Square, PA 19073

**RE: Response to Public Comments
Act 537 Official Plan Update for
Newtown Township, Delaware County**

Dear Mrs. Wilson:

It is noted that a number of your questions/comments are predicated by inaccurate statements. By not addressing each incorrect assumption, the Township is in no way agreeing with these statements. In bold below are the responses to the comments/questions:

The public notice is inadequate. The public notice specifies that comment is restricted only to that portion of the plan that was changed to provide gravity sewer service to the entire Echo Valley area and to a change in a proposed ordinance. Many other significant changes were made to this latest version. They include changes to capacity allocations again, changes to capacity allocations to pump stations, relocations of pump stations and changes to the Executive Summary.

This comment is not correct. The notice of the proposed plan was published in October of 2012. Significant public comment was received. The Township also held multiple meetings about the plan. The Township considered the public comment and made several changes to the Plan, some minor and some substantial. Although there is no requirement to publish a new notice before adoption of the plan and submission to the DEP, the Township wanted to take the extra step of doing to ensure that everyone had the opportunity to review changes if they chose to do so. The public notice advises that changes were made. It highlights the more substantial changes. It does not restrict public comment to only those changes that were highlighted in the notice as you suggest.

The public notice is contradicted by information provided in the plan. That is, the public notice references an allocation of 8138gpd for Hunt Valley, the flow allocation chart provided with the plan notes 7350gpd.

The flow allocation chart at Appendix L erroneously did not reflect the 3 additional properties. Appendix L should have reflected a flow allocation of 8,138 gpd. The notice is

correct and the chart has been corrected.

The pump station at Melmark is newly noted as "Private" It is not clear what that means and why it has been designated with this notation.

It is a privately owned pump station

The Executive Summary references Ashford as having 460 units when the development was approved at 449.

460 is intended to reference the number of EDU's assigned, not the number of approved residential units. This correction has been made.

There has been a change to the capacity proposed for the Ashford pump station.

The capacity of the pump station has not changed, but the amount of flow to that pump station was increased.

There has been a change to the capacity for Hunt Valley to include 3 additional residential lots.

Correct.

There has been a change in the allocation for the Dogwood Area. Previously, it was 2365. It is now 2100gpd. There are at least 9 homes in that area-allocation should be at least 2365. At the Municipal Authority meeting on March 4, 2013, Mr. MacCombie indicated that the proposed Somerset development's sewage facilities plan would include extending service to the Dogwood Area. He indicated that they would put in the infrastructure prior to 537 plan approval.

The allocation was decreased by 1 EDU because the Suburban Swim club was initially included as an additional property, but it was verified that it was already connected to public sewer, so the additional EDU was not required for the Dogwood area. It is not clear whether the Somerset infrastructure will be completed prior to plan approval, but will be completed before connection.

Plan does not include a letter provided by BPG concerning their flow allocations. It is included with this comment letter.

Comment noted.

It is not clear where the line from Goshen Road will be located on the Ashford (Liseter) property. With no indicator of the proposed building lots on the map provided, it is not clear if the proposed plan is feasible.

The Township has an easement to access the Ashford Pump station. In addition, Ashford has agreed to cooperate with the Township to provide a new route to the pump

station from Goshen Road to minimize cost. The subdivision and land development plans were used to coordinate the proposed location of the portion of the proposed Goshen Road sewer line on Ashford's property. The proposed connection is feasible. The planned location has been provided to Ashford and they have not objected. The subdivision plan is a public record.

The township's survey of commercial entities appears to be inadequate. Note those surveys provided to Campus Blvd. commercial properties. They received the same survey as residents. In one case, the responder noted that there were 300 residents at the property. Among many other issues with this plan, this is not adequate planning.

The Township believes this is adequate for this Plan.

Although the public notice restricted the comment the township wished to receive, I also offer the following as further comment following the township's response to the public comment I provided when the plan was initially made available to the public in October, 2012:

Concerning my question 1-I asked this question because during the months of township planning, no updates were provided to residents. When the plan was finally produced for public comment, the plan was considerably different from any previous proposed plan updates. It is unclear how this plan evaluated various alternatives. Rather than provide the evaluated alternatives, the response to my comment was to suggest that "sound engineering judgment and common sense" was the methodology. It would appear as though this engineer believes that the prior engineers proposed a plan that did not utilize sound engineering judgment.

That statement that no updates were given to Township residents is not correct. The Township held the first of many public presentations on the Plan on August 13, 2012, which was attended predominantly by residents from the Echo Valley and Florida Park communities. Also, please refer to the table of "Public Outreach and Community Meetings" in Appendix CC. It is not clear what comment you are referring to as having been responded to and it is certainly not in any context to provide accurate insight into what point you are attempting to make. You are entitled to your own opinion regarding the judgment of prior engineers, but the Township has not commented on this subject.

2. I understand that the Whitehorse development is not complete. It is in the plan update area and was in the original plan to be included in the service area. As there has been much said by this engineer that including all in the service area would make the cost better for all, I think that this area should have been included in the plan. The fact that the development is not complete would seem to make this area even more important to include. It has also been stated that this area has newer on-lot systems. This development is now approximately 9 years old. In the latest version of the plan provided (Feb. 13, 2013 version), it appears as though the Whitehorse residents were surveyed. This survey indicated that there were already at least 2 suspected malfunctions. Additionally, it may be that this development is the best path to provide sewers to Melmark. The proposed plan update should provide planning for this area.

Your comment is noted.

3. The engineer persistently states that this is a plan update. Since Act537 requires comprehensive planning for the entire municipality, this should be a comprehensive plan update.

Your comment is noted.

4. The engineer has selected the alternative of choice for Hunters Run without finding out the usability of the existing system. It would appear as though the selected alternative was made based on supposition, not fact. This latest version (Feb. 13, 2013 version) of the plan also suggests that the residents of Hunters Run will be responsible for the maintenance of their collection system. It is not clear why they are being asked to continue this responsibility once they are connected to the public sewer system. It is also not clear if there are other areas of the township that will be responsible for their collection systems.

Your comment is noted.

5. I do not believe that this response to my comment/question is accurate. It is not clear that any visual field observations have taken place in the process of completing this proposed update. Additionally, Mr. MacCombie indicated at a meeting for residents that he had not completed an alternatives comparison for this area. The topography of the homes in the westerly portion of Echo Valley no more lends itself to gravity sewer as a viable option, in my view, than all other areas of Echo Valley. Mr. MacCombie's proposal for this area clearly has been designed solely to accommodate Melmark's desired sewer design. In 2004 a plan for gravity sewer in Echo Valley was proposed. It would provide gravity sewers for the entire neighborhood. It required 17 homeowner easements as well as a pump station in an area not desired by homeowners. The township abandoned this plan. Mr. MacCombie now proposes a partial gravity system for EV (very, very few EV homes are to be connected to this line). However, this line, which would service Melmark requires 12 homeowner easements and a pump station approximately 100 feet from an EV resident's home. It also impacts wetlands and Crum Creek. This plan does not appear to be the best alternative for public sewer in this area. Now in this latest version (Feb. 13, 2013) of the plan, Mr. MacCombie now proposes a gravity system for all of the Echo Valley neighborhood. As drawn, it is not clear that this plan is feasible. It is not clear how close the newly proposed location for the Goshen Road Pump station is to a resident's home and how this pump station will be accessed. It is still not clear why MacCombie has chosen to provide sewer service to Melmark via the Echo Valley neighborhood.

As to the majority of your comments in this section, they are noted. With respect to your comment about field observations, they were made both initially and following public comment, including private tours of individual yards coordinated with residents. The plan is feasible. Any wetland disturbance will be minimized through careful design.

6. In fact, this is a comment to the plan. The township has indicated that a reallocation of flow for BPG is to be conveyed via RHM. However, there is no indicator that an agreement for this flow has been executed. Additionally, as the DEP is aware, RHM currently

has an issue of overflow for which they are proposing a tank. Without the commitment by RHM to take this flow, the capacity from BPG should be included in Newtown Township's 537 planning.

There is no "additional" flow. The re-allocation was approved by DEP.

7. As you are aware from prior appeals testimony and agreement that was provided, BPG has indicated that they have a legal agreement that provides them with 267,000gpd capacity. I do not believe that this response is an accurate indicator of the township's obligation for capacity for BPG. The included letter from BPG attorney to the township indicates that BPG has not legally given up the capacity allocated for their development. Additionally, BPG has not made any land development changes.

Your comment is noted.

8. Given that Mr. MacCombie had not accurately included all capacity allocations in Appendix L and some of which he has indicated that he has corrected in further responses to my public comment, this plan still does not accurately depict Newtown capacity needs and existing commitments. As a result, this response is not accurate. This latest version (Feb. 13, 2013) has changed the capacity allocations yet again. I am including copies of flow allocations which have been provided in prior versions of the plan as well as this latest version. It is my view that Newtown should be providing accurate capacity needs.

They appear to be changing allocations without adequately documenting the basis for the change. I have also included an updated version of one of the exhibits provided in the appeal of the previous plan. It notes the latest proposal for capacity allocations.

Your comment is noted. The corrections associated with removing 1 EDU from Dogwood and adding 3 EDUs from Hunt Valley Circle are not substantial changes in relation to the 961,975 gpd addressed by this plan.

9. As of this letter, there is no indicator that BPG had the necessary sign-offs to allow additional flow to be conveyed by the RHM systems. Additionally, unlike some previous planning, this proposed plan impacts both wetlands and special protection waterways more significantly.

See No. 6 above. The system will be designed to minimize wetland impact.

10. As this plan presumes a commitment by RHM affiliated municipalities, Newtown should have provided this plan for their review.

Your comment is noted.

13. This response concerning Melmark, I believe, is very misleading. The chosen alternative for Melmark requires 450 LF to get to a gravity pipe in Echo Valley and then

Melmark's flow winds its way through the township to get to the CDCA manhole via the Echo Valley(EV) neighborhood, to Goshen Road, over and through the SPWWTP pump station, through that neighborhood to the Camelot Pump Station. I believe that this response is misleading. It seems to me that this is the longest route for Melmark.

Your observation is incorrect and misleading. The flow goes largely through lines already needed for other areas and goes to the Goshen Road Pump Station and then to the Ashford Station. The Township's prior response was in no way misleading.

14. This response is inaccurate, I believe. As proposed, Melmark's flow is going through a pipe that is in EV. This pipe is being proposed for the most part to carry Melmark's flow. My question was to try to understand why Mr. MacCombie proposes this very long route for Melmark and then appears to have designed the route with very little benefit to residents of EV but with tremendous impact to these residents. Additionally, this route requires 12 easements in EV as well as an easement for a pump station that appears to be approximately 100 feet from an EV resident's home. None of these easements have been sought. It is unclear how Mr. MacCombie can presume that this is the best alternative without any idea of cost.

Your conclusion is not accurate. Many homes are using the subject lines. It is not appropriate to obtain easements at this stage of the process.

15. This part of the proposed plan was incomplete and not available during the public notice/comment period. This as well as with other changes and updates that Mr. MacCombie has made since the public comment period should have caused the township to advertise the proposed plan again to include public comment for the entire plan. This latest public notice dictates that public comment is only being accepted for a portion of the plan's changes. I would ask the DEP to direct the township to advertise for another 30 day public comment period to include allowing public comment for any and all aspects of the proposed 537 plan.

Notice of the proposed plan, and change to the proposed plan, were published and the plan was made available for public inspection. Your comments are presumably the result of reviewing the initial proposed plan and the changes to the proposed plan.

18. I believe that this response is very misleading. Mr. MacCombie has suggested at more than one meeting that pump stations can be moved (and in one case has indicated that he has moved it, yet I asked the township where it has moved, they have not answered the question). I believe that Mr. MacCombie wants to lead residents to believe that the locations of pump stations are not determined in this part of the planning process. Given my experience with the previously proposed pump station on the Ashford property, I believe Mr. MacCombie is not being forthright with residents in an attempt to dispel their concerns. In this latest version of the plan (Feb. 13, 2013), it appears as though significant changes have been made to the locations of pump stations. These changes should have been noted in the public notice with public comment sought on the proposed location changes.

Your comments about the integrity of Mr. MacCombie and his intentions are flatly

rejected. Your statements are misleading. Mr. MacCombie has explained that exact locations of pumps and sewer lines are determined in the design phase.

21. The response indicates that Episcopal has filed the necessary change to their conveyance route in their sewer module with the DEP. However, there is no status indicator on the DEP's website E-facts file for Newtown Township and/or Episcopal.

Your comment is noted.

22. This was not a complete response. I asked this question because the flow allocation for the EV neighborhood keeps changing. Additionally, this plan does not seem to take into account any in-fill in the various neighborhoods.

Your comment is noted.

25. This appears to be an inaccurate response. I am including with the response letter a copy of Appendix "L" from the plan provided during the public comment period. The reference to Springton Pointe Estates (which as noted is an existing neighborhood and is serviced by the SPWWTP) says beyond 5 years. The township's response is contradicted by the provided appendix.

The prior referenced questions and my additional questions/comments concerning them reflect only some of my concerns about this proposed plan. Additionally, as a result of my questions numbered 15, 52, 67 and 92, the township has changed the plan. They have not advertised a new public notice period to allow residents to review and comment on all of the plan changes. Rather, the public notice limits the scope of public comment.

I am particularly concerned as it appears to me that there is still an issue of allocation of capacity which the township has not adequately addressed. This plan as proposed reduces capacity in some areas, increases it in others, and as published left out some areas that are already serviced by the CDCA. During the public comment period and at the public meetings I have been available to attend, township officials have again indicated that the plan can change. They have also offered that changes to pump station locations can be made during the part 2 permit process. Since first writing this letter, Mr. MacCombie has indicated that he has made some changes to the Appendix L. In fact, he was not accurate in his statement about Springton Point homes. He had also left out the existing flows for GreenBriar, Dudie Drive and Mary Jane Lane which in a prior plan were 13,125 gpd.

As a result of changes to the allocated capacity appendix as well as other changes, I believe that Newtown should be asked to publish notice of the proposed plan again for public comment.

Your comment is noted. Springton Pointe Estates is indicated to be connected within five (5) years. The flows referenced were included. Your request to republish the notice will serve no purpose other than to needlessly delay DEP consideration of this plan.

The notice published was fair notice.

25. Mr. MacCombie's response to this question was completely inaccurate. He apparently now knows that this is the case and has made some changes to the plan. Those changes have not been made available for public comment.

Your statement is incorrect and misleading. The plan has not changed in this regard. As previously stated, "the "Springton Pointe" development on the south side of Gradyville road is designated to be beyond 5 years. This is separate from the "Springton Pointe Estates," which is serviced by the WWTP, which is situated north of Gradyville Road. The Plan decommissions the Springton Pointe Estates WWTP (aka Stoney Brook WWTP) and replaces it with proposed Pump Station #5 is proposed to occur within 5 years." A typographical error on a chart was corrected with the change in the proposed plan.

30. Given the capacity issues at RHM, I think that ignoring SAP's development plans does not meet the requirements of Act 537. At the very least, Newtown should be working with RHM to understand how to meet the needs of all residents and developments in Newtown Township.

Your comment is noted.

32. I believe that my statement is accurate. In fact, the township is not meeting the implementation schedule specified in the Consent Order and Agreement.

Your comment is noted.

33. Again, I do not believe that this proposed update meets the requirements of Act 537 planning. The township has ignored areas for which they should be planning and those areas in question may be able to be serviced by the CDCA. Newtown Township should be working with RHM to determine the best possible planning for all areas of the township.

The Township has not ignored areas.

35. I asked this question because the Municipal Authority indicated that the permit for the SP wastewater treatment plant had lapsed. Additionally, since statements were made in this proposed plan about the sewer system's monitoring that I believed to be inaccurate, I commented about it.

At meetings with residents, township officials heard from residents near the Camelot pump station about odors as well as malfunctions.

This as well as comments I provided numbered 36-38 were made in response to statements made in the township's proposed plan. Additionally, Newtown's representative to the CDCA indicated that a need for upgrade of one of CDCA's pump stations would be needed if much of the flow proposed was to happen within the next 5 years. The township and/or CDCA

should be asked to make clear how much capacity is truly available in the next 5 years.

Your comment is noted.

39. I made this comment as Newtown seems to think that they are not required to ensure that those with problem on-site systems should be required to fix them. As Newtown is not in a position to construct a sewer system at this time, I would ask the DEP to require that they ensure that on-site systems are not polluting.

Your comment is noted.

41. Act 537 requires cooperation between municipalities. Edgmont and Newtown could work together to get a better sewage facilities plan for both townships. Edgmont's proposal to bring sewage facilities through Newtown should be cause for planning for both Newtown and Edgmont.

Your comment is noted.

43. The township has not answered my question. Please require that the township accurately answer this question.

Your comment is noted.

45. It is my contention that parts of the plan which have been designed with the developers and institutions, in fact, do not represent the best plans for the entire community both technically and comprehensively. Specifically, the design consideration for Melmark, the design considerations concerning the SPWWTP (Springton Pointe Waste Water Treatment Plant) and the design considerations for the BPG development.

Your comment is noted.

47.-50. This plan does not meet the requirements of Act 537 concerning costs. Estimates are not verifiable. There is no financial alternative of choice nor is there any contingency financing method specified. The plan suggests that there will be contributions provided by developers. However, other than the Ashford development, there appear to be no agreements with developers or institutions concerning their financial commitment to the plan. Additionally, the tap in fee is said to just be an estimate and overall plans for paying for the system are not apparent.

Your comments are noted.

51. Please confirm by reviewing the 7 party agreement that the response from the township is accurate. It is not how I understand the agreement.

Your comment is noted.

52. Again, apparently changes have been made to the capacity allocations in the plan. I would ask that the DEP pay careful attention to this public comment as well as to the township's response to public comment. I still believe that the township's capacity allocations are inaccurate. Please ask that the township provide proof that they are adequately planning for the capacity needed.

Your comment is noted.

55. The township did not answer my question. I am asking that the DEP carefully review this documentation.

Your comment is noted.

56. Given that the manhole to which much of Newtown's capacity will connect is in Marple Township, I believe that it is important that Marple Township specifically address their confirmation and approval of this plan as it will possibly have an effect on future planning for Marple Township.

Your comment is noted.

57. The maps available during the public comment and provided with the plan were not readable. Please ask that the township provide legible maps. It was not indicated with the plan provided to the public that they could access the colorized maps at the Township. With the new version of the plan (Feb. 13, 2013), the maps are now more readable. However, the township has not made these maps part of the notice for public comment.

The maps were legible. Improved maps were also made available to the public and were also included with the plan change, for which notice was published.

62. I do not believe that the response given to my comment here is accurate. There is no documentation accompanying this plan from the developers that reductions in capacity will meet the needs of their proposed developments. And, in fact, testimony at my prior appeal suggests that BPG believes they have a legal commitment for capacity of 267,000 gpd. Also, capacity allocations should match developments proposed. Nothing has changed in the zoning or proposed plans of these developers

Your comment is noted.

64. Again, the plan needed to be changed. In my view, Newtown should be required to advertise the plan again for another 30 day public comment period.

Fixing this small inconsistency did not change the plan to sewer this area. In addition, while not required, the change was made and notice that the plan was changed was re-advertised.

65. Capacity allocations for those currently served and included in the service of the SPWWTP should be checked. In addition to Springton Pointe Estates, Newtown's Municipal Authority has allowed connections to this plant from Hempstead Road and Hempstead Circle as well as Bishop Hollow Road.

These connections were considered.

66. Please review this issue and the township's response.

Your comment is noted.

67. Again a change was made to the proposed plan and it was not readvertised.

The plan was re-advertised.

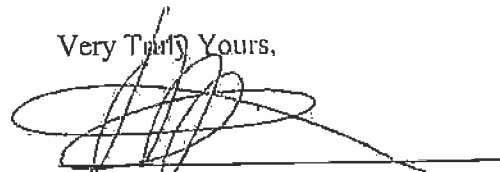
68. None of the proposed ordinances have been advertised publicly nor have they been discussed or adopted.

Denied. The proposed ordinances have been discussed publicly and have been appended to the proposed plan, which was advertised, for public review. They will be submitted to the DEP for review with the proposed plan. If the DEP finds them acceptable, they will be advertised and considered for adoption. If the DEP requests changes, they will be considered before adoption.

92. Again, the plan was changed and was not readvertised for public comment.

The plan was re-advertised.

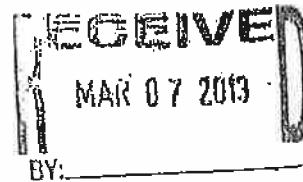
Very Truly Yours,



Michael Trio, AICP
Newtown Township Manager

copy: File

Patricia A. Wilson
4111 Battles Lane
Newtown Square, Pa 19073



March 6, 2013

Dear Mr. Trio:

I offer the following public comment in response to the notice provided on February 13, 2013 concerning Newtown Township's proposed 537 plan update:

The public notice is inadequate. The public notice specifies that comment is restricted only to that portion of the plan that was changed to provide gravity sewer service to the entire Echo Valley area and to a change in a proposed ordinance. Many other significant changes were made to this latest version. They include changes to capacity allocations again, changes to capacity allocations to pump stations, relocations of pump stations and changes to the Executive Summary.

The public notice is contradicted by information provided in the plan. That is, the public notice references an allocation of 8138gpd for Hunt Valley, the flow allocation chart provided with the plan notes 7350gpd.

The pump station at Melmark is newly noted as "Private" It is not clear what that means and why it has been designated with this notation.

The Executive Summary references Ashford as having 460 units when the development was approved at 449.

There has been a change to the capacity proposed for the Ashford pump station.

There has been a change to the capacity for Hunt Valley to include 3 additional residential lots.

There has been a change in the allocation for the Dogwood Area. Previously, it was 2365. It is now 2100gpd. There are at least 9 homes in that area—allocation should be at least 2365. At the Municipal Authority meeting on March 4, 2013, Mr. MacCombie indicated that the proposed Somerset development's sewage facilities plan would include extending service to the Dogwood Area. He indicated that they would put in the infrastructure prior to 537 plan approval.

Plan does not include a letter provided by BPG concerning their flow allocations. It is included with this comment letter.

It is not clear where the line from Goshen Road will be located on the Ashford(Liseter) property. With no indicator of the proposed building lots on the map provided, it is not clear if the proposed plan is feasible.

The township's survey of commercial entities appears to be inadequate. Note those surveys provided to Campus Blvd. commercial properties. They received the same survey as residents. In one case, the

responder noted that there were 300 residents at the property. Among many other issues with this plan, this is not adequate planning.

Although the public notice restricted the comment the township wished to receive, I also offer the following as further comment following the township's response to the public comment I provided when the plan was initially made available to the public in October, 2012:

Concerning my question 1—I asked this question because during the months of township planning, no updates were provided to residents. When the plan was finally produced for public comment, the plan was considerably different from any previous proposed plan updates. It is unclear how this plan evaluated various alternatives. Rather than provide the evaluated alternatives, the response to my comment was to suggest that “sound engineering judgment and common sense” was the methodology. It would appear as though this engineer believes that the prior engineers proposed a plan that did not utilize sound engineering judgment.

2. I understand that the Whitehorse development is not complete. It is in the plan update area and was in the original plan to be included in the service area. As there has been much said by this engineer that including all in the service area would make the cost better for all, I think that this area should have been included in the plan. The fact that the development is not complete would seem to make this area even more important to include. It has also been stated that this area has newer on-lot systems. This development is now approximately 9 years old. In the latest version of the plan provided (Feb. 13, 2013 version), it appears as though the Whitehorse residents were surveyed. This survey indicated that there were already at least 2 suspected malfunctions. Additionally, it may be that this development is the best path to provide sewers to Melmark. The proposed plan update should provide planning for this area.

3. The engineer persistently states that this is a plan update. Since Act 537 requires comprehensive planning for the entire municipality, this should be a comprehensive plan update.

4. The engineer has selected the alternative of choice for Hunters Run without finding out the usability of the existing system. It would appear as though the selected alternative was made based on supposition, not fact. This latest version (Feb. 13, 2013 version) of the plan also suggests that the residents of Hunters Run will be responsible for the maintenance of their collection system. It is not clear why they are being asked to continue this responsibility once they are connected to the public sewer system. It is also not clear if there are other areas of the township that will be responsible for their collection systems.

5. I do not believe that this response to my comment/question is accurate. It is not clear that any visual field observations have taken place in the process of completing this proposed update. Additionally, Mr. MacCombie indicated at a meeting for residents that he had not completed an alternatives comparison for this area. The topography of the homes in the westerly portion of Echo Valley no more lends itself to gravity sewer as a viable option, in my view, than all other areas of Echo Valley. Mr. MacCombie's proposal for this area clearly has been designed solely to accommodate Melmark's desired sewer

design. In 2004 a plan for gravity sewer in Echo Valley was proposed. It would provide gravity sewers for the entire neighborhood. It required 17 homeowner easements as well as a pump station in an area not desired by homeowners. The township abandoned this plan. Mr. MacCombie now proposes a partial gravity system for EV (very, very few EV homes are to be connected to this line). However, this line, which would service Melmark requires 12 homeowner easements and a pump station approximately 100 feet from an EV resident's home. It also impacts wetlands and Crum Creek. This plan does not appear to be the best alternative for public sewer in this area. Now in this latest version (Feb. 13, 2013) of the plan, Mr. MacCombie now proposes a gravity system for all of the Echo Valley neighborhood. As drawn, it is not clear that this plan is feasible. It is not clear how close the newly proposed location for the Goshen Road Pump station is to a resident's home and how this pump station will be accessed. It is still not clear why MacCombie has chosen to provide sewer service to Melmark via the Echo Valley neighborhood.

6. In fact, this is a comment to the plan. The township has indicated that a reallocation of flow for BPG is to be conveyed via RHM. However, there is no indicator that an agreement for this flow has been executed. Additionally, as the DEP is aware, RHM currently has an issue of overflow for which they are proposing a tank. Without the commitment by RHM to take this flow, the capacity from BPG should be included in Newtown Township's 537 planning.

7. As you are aware from prior appeals testimony and agreement that was provided, BPG has indicated that they have a legal agreement that provides them with 267,000gpd capacity. I do not believe that this response is an accurate indicator of the township's obligation for capacity for BPG. The included letter from BPG attorney to the township indicates that BPG has not legally given up the capacity allocated for their development. Additionally, BPG has not made any land development changes.

8. Given that Mr. MacCombie had not accurately included all capacity allocations in Appendix L and some of which he has indicated that he has corrected in further responses to my public comment, this plan still does not accurately depict Newtown capacity needs and existing commitments. As a result, this response is not accurate. This latest version (Feb. 13, 2013) has changed the capacity allocations yet again. I am including copies of flow allocations which have been provided in prior versions of the plan as well as this latest version. It is my view that Newtown should be providing accurate capacity needs. They appear to be changing allocations without adequately documenting the basis for the change. I have also included an updated version of one of the exhibits provided in the appeal of the previous plan. It notes the latest proposal for capacity allocations.

9. As of this letter, there is no indicator that BPG had the necessary sign-offs to allow additional flow to be conveyed by the RHM systems. Additionally, unlike some previous planning, this proposed plan impacts both wetlands and special protection waterways more significantly.

10. As this plan presumes a commitment by RHM affiliated municipalities, Newtown should have provided this plan for their review.

13. This response concerning Melmark, I believe, is very misleading. The chosen alternative for Melmark requires 450 l.f. to get to a gravity pipe in Echo Valley and then Melmark's flow winds its way

through the township to get to the CDCA manhole via the Echo Valley(EV) neighborhood, to Goshen Road, over and through the SPWWTP pump station, through that neighborhood to the Camelot Pump Station. I believe that this response is misleading. It seems to me that this is the longest route for Melmark.

14. This response is inaccurate, I believe. As proposed, Melmark's flow is going through a pipe that is in EV. This pipe is being proposed for the most part to carry Melmark's flow. My question was to try to understand why Mr. MacCombie proposes this very long route for Melmark and then appears to have designed the route with very little benefit to residents of EV but with tremendous impact to these residents. Additionally, this route requires 12 easements in EV as well as an easement for a pump station that appears to be approximately 100 feet from an EV resident's home. None of these easements have been sought. It is unclear how Mr. MacCombie can presume that this is the best alternative without any idea of cost.

15. This part of the proposed plan was incomplete and not available during the public notice/comment period. This as well as with other changes and updates that Mr. MacCombie has made since the public comment period should have caused the township to advertise the proposed plan again to include public comment for the entire plan. This latest public notice dictates that public comment is only being accepted for a portion of the plan's changes. I would ask the DEP to direct the township to advertise for another 30 day public comment period to include allowing public comment for any and all aspects of the proposed 537 plan.

18. I believe that this response is very misleading. Mr. MacCombie has suggested at more than one meeting that pump stations can be moved (and in one case has indicated that he has moved it, yet I asked the township where it has moved, they have not answered the question). I believe that Mr. MacCombie wants to lead residents to believe that the locations of pump stations are not determined in this part of the planning process. Given my experience with the previously proposed pump station on the Ashford property, I believe Mr. MacCombie is not being forthright with residents in an attempt to dispel their concerns. In this latest version of the plan (Feb. 13, 2013), it appears as though significant changes have been made to the locations of pump stations. These changes should have been noted in the public notice with public comment sought on the proposed location changes.

21. The response indicates that Episcopal has filed the necessary change to their conveyance route in their sewer module with the DEP. However, there is no status indicator on the DEP's website E-facts file for Newtown Township and/or Episcopal.

22. This was not a complete response. I asked this question because the flow allocation for the EV neighborhood keeps changing. Additionally, this plan does not seem to take into account any in-fill in the various neighborhoods.

25. This appears to be an inaccurate response. I am including with the response letter a copy of Appendix "L" from the plan provided during the public comment period. The reference to Springton Pointe Estates (which as noted is an existing neighborhood and is serviced by the SPWWTP) says beyond 5 years. The township's response is contradicted by the provided appendix.

The prior referenced questions and my additional questions/comments concerning them reflect only some of my concerns about this proposed plan. Additionally, as a result of my questions numbered 15, 52, 67 and 92, the township has changed the plan. They have not advertised a new public notice period to allow residents to review and comment on all of the plan changes. Rather, the public notice limits the scope of public comment.

I am particularly concerned as it appears to me that there is still an issue of allocation of capacity which the township has not adequately addressed. This plan as proposed reduces capacity in some areas, increases it in others, and as published left out some areas that are already serviced by the CDCA. During the public comment period and at the public meetings I have been available to attend, township officials have again indicated that the plan can change. They have also offered that changes to pump station locations can be made during the part 2 permit process. Since first writing this letter, Mr. MacCombie has indicated that he has made some changes to the Appendix L. In fact, he was not accurate in his statement about Springton Point homes. He had also left out the existing flows for GreenBriar, Dudie Drive and Mary Jane Lane which in a prior plan were 13,125gpd.

As a result of changes to the allocated capacity appendix as well as other changes, I believe that Newtown should be asked to publish notice of the proposed plan again for public comment.

25. Mr. MacCombie's response to this question was completely inaccurate. He apparently now knows that this is the case and has made some changes to the plan. Those changes have not been made available for public comment.

30. Given the capacity issues at RHM, I think that ignoring SAP's development plans does not meet the requirements of Act 537. At the very least, Newtown should be working with RHM to understand how to meet the needs of all residents and developments in Newtown Township.

32. I believe that my statement is accurate. In fact, the township is not meeting the implementation schedule specified in the Consent Order and Agreement.

33. Again, I do not believe that this proposed update meets the requirements of Act 537 planning. The township has ignored areas for which they should be planning and those areas in question may be able to be serviced by the CDCA. Newtown Township should be working with RHM to determine the best possible planning for all areas of the township.

35. I asked this question because the Municipal Authority indicated that the permit for the SP wastewater treatment plant had lapsed. Additionally, since statements were made in this proposed plan about the sewer system's monitoring that I believed to be inaccurate, I commented about it.

At meetings with residents, township officials heard from residents near the Camelot pump station about odors as well as malfunctions.

This as well as comments I provided numbered 36-38 were made in response to statements made in the township's proposed plan. Additionally, Newtown's representative to the CDCA indicated that a need for upgrade of one of CDCAs pump stations would be needed if much of the flow proposed was to happen

within the next 5 years. The township and/or CDCA should be asked to make clear how much capacity is truly available in the next 5 years.

39. I made this comment as Newtown seems to think that they are not required to ensure that those with problem on-site systems should be required to fix them. As Newtown is not in a position to construct a sewer system at this time, I would ask the DEP to require that they ensure that on-site systems are not polluting.

41. Act537 requires cooperation between municipalities. Edgmont and Newtown could work together to get a better sewage facilities plan for both townships. Edgmont's proposal to bring sewage facilities through Newtown should be cause for planning for both Newtown and Edgmont.

43. The township has not answered my question. Please require that the township accurately answer this question.

45. It is my contention that parts of the plan which have been designed with the developers and institutions, in fact, do not represent the best plans for the entire community both technically and comprehensively. Specifically, the design consideration for Melmark, the design considerations concerning the SPWWTP(Springton Pointe Waste Water Treatment Plant) and the design considerations for the BPG development.

47.-50. This plan does not meet the requirements of ACT537 concerning costs. Estimates are not verifiable. There is no financial alternative of choice nor is there any contingency financing method specified. The plan suggests that there will be contributions provided by developers. However, other than the Ashford development, there appear to be no agreements with developers or institutions concerning their financial commitment to the plan. Additionally, the tap in fee is said to just be an estimate and overall plans for paying for the system are not apparent.

51. Please confirm by reviewing the 7 party agreement that the response from the township is accurate. It is not how I understand the agreement.

52. Again, apparently changes have been made to the capacity allocations in the plan. I would ask that the DEP pay careful attention to this public comment as well as to the township's response to public comment. I still believe that the township's capacity allocations are inaccurate. Please ask that the township provide proof that they are adequately planning for the capacity needed.

55. The township did not answer my question. I am asking that the DEP carefully review this documentation.

56. Given that the manhole to which much of Newtown's capacity will connect is in Marple Township, I believe that it is important that Marple Township specifically address their confirmation and approval of this plan as it will possibly have an effect on future planning for Marple Township.

57. The maps available during the public comment and provided with the plan were not readable. Please ask that the township provide legible maps. It was not indicated with the plan provided to the

public that they could access the colorized maps at the Township. With the new version of the plan(Feb. 13, 2013), the maps are now more readable. However, the township has not made these maps part of the notice for public comment.

62. I do not believe that the response given to my comment here is accurate. There is no documentation accompanying this plan from the developers that reductions in capacity will meet the needs of their proposed developments. And, in fact, testimony at my prior appeal suggests that BPG believes they have a legal commitment for capacity of 267,000gpd. Also, capacity allocations should match developments proposed. Nothing has changed in the zoning or proposed plans of these developers

64. Again, the plan needed to be changed. In my view, Newtown should be required to advertise the plan again for another 30 day public comment period.

65. Capacity allocations for those currently served and included in the service of the SPWWTP should be checked. In addition to Springton Pointe Estates, Newtown's Municipal Authority has allowed connections to this plant from Hempstead Road and Hempstead Circle as well as Bishop Hollow Road.

66. Please review this issue and the township's response.

67. Again a change was made to the proposed plan and it was not readvertised.

68. None of the proposed ordinances have been advertised publicly nor have they been discussed or adopted.

92. Again, the plan was changed and was not readvertised for public comment.

Sincerely,



Patricia A. Wilson

Attachments:

Letter from BPG

Email from Mike Trio to Mark Kay

My annotated Appendix "L" and previous flow allocations documents

Appeal Exhibit concerning capacity allocations updated to include recent allocations provided
Information about proposed sewage facilities planning waiver—It is not clear how this developer can be provided with a waiver given that Newtown is under order to revise their 537 plan

Gregg I. Adelman
Direct Dial: (610) 941-2552
Direct Fax: (610) 684-2001
Email: gadelman@kaplaw.com
www.kaplaw.com

November 28, 2011

VIA EMAIL & FIRST CLASS MAIL

Michael Sheridan Esquire
Sheridan, Bracken & Wenke, LLP
101 West Baltimore Avenue
P.O. Box 1940
Media, PA 19063

Richard C. Sokorai, Esquire ✓
High, Swartz, Roberts & Seidel, LLP
40 East Airy Street
Norristown, PA 19404

RE: Newtown Township - Newtown Township Sewer Authority; BPG Sewer Capacity

Dear Mike & Rich:

In connection with the Township's current revisions to its draft Act 537 Sewage Facilities Plan ("Act 537 Plan"), BPG wishes to inform the Township and the Authority that at this time BPG does not require the Act 537 Plan to provide for the full 267,000 gallons per day of sanitary sewage capacity that was agreed to be provided to BPG under the Settlement Agreement between BPG and the Township. Rather, BPG believes that the 185,000 gallons per day of sanitary sewage capacity previously allocated under the Township's prior Act 537 Plan (that was approved by DEP in 2009 but later rescinded by the Environmental Hearing Board) is sufficient at this time. In accordance with the tentative plan approval for Ellis Preserve, as each section is submitted for final approval, BPG will demonstrate to the Township that adequate sanitary sewage capacity has been allocated/purchased.

Sincerely yours,


Gregg I. Adelman

GIA:kds

Patti Wilson

From: Regi [regi_6615@verizon.net]
Sent: Friday, January 25, 2013 5:57 PM
To: 'Paul Guest'
Cc: pawils@comcast.net
Subject: RE: 537 Sewer Plan Meeting Change

The Sunshine Law likely is still not considered by the manager or the BoS. I just emailed Susan Slwinski saying the BoS was evidently poled. I do not think poling is proper.
 Regi

From: Paul Guest [mailto:pglawfirm@aol.com]
Sent: Friday, January 25, 2013 2:31 PM
To: pawils@comcast.net; regi_6615@verizon.net
Subject: Re: 537 Sewer Plan Meeting Change

When, where, how and who, do the Supervisors meet to decide things like moving pump stations and having special meetings?

Don't they know about the Sunshine Act.
 Paul

-----Original Message-----

From: pawils <pawils@comcast.net>
To: pglawfirm <pglawfirm@aol.com>
Sent: Fri, Jan 25, 2013 11:20 am
Subject: Fwd: 537 Sewer Plan Meeting Change

FYI

From: "Regi" <regi_6615@verizon.net>
To: "Mark L Kay" <marklkay@strikeforcetech.com>, sswlinski@gmail.com, "Ann DiGiacomo" <adigiacomo@wentworthmgt.com>, "Jonathan Hoffman" <jonhoffman117@gmail.com>, "Allan Fisher" <springland@live.com>, "Louis Dolente III" <loudol03@gmail.com>
Cc: "Larry Fischer" <lawrence.fischer@gmail.com>, "Linda Gabell" <lgrealtor1@verizon.net>, "Joseph Catania" <jcatania@frontrowlaw.com>, jsweeney@northmarq.com, "R. Lopez" <Rusty_1@verizon.net>
Sent: Friday, January 25, 2013 10:46:48 AM
Subject: RE: 537 Sewer Plan Meeting Change

To All:

The Municipal Authority monthly meeting is always scheduled for the first Monday of the month. The meeting room for Monday, February 4 was already reserved for the MA. Where will the MA meet? Interested parties should be advised of this scheduling conflict.
 Regi

From: Mark L Kay [mailto:marklkay@strikeforcetech.com]
Sent: Friday, January 25, 2013 9:41 AM
To: sswlinski@gmail.com; regi_6615@verizon.net; 'Ann DiGiacomo'; 'Jonathan Hoffman'; 'Allan Fisher'; 'Louis Dolente III'
Subject: 537 Sewer Plan Meeting Change

Mike Trio just called me to tell me the Board of Supervisors just decided to NOT have the 537 Sewer Plan Approval meeting on this Monday's January 28th, BOS meeting, instead there will be a special meeting for that

1/27/2013

on the following Monday, February 4th either 7PM or 7:30PM.

Also Mike agreed that he is placing a call into Aqua to have them test and if detect odor issues as we mentioned at our prior special 537 meeting for SPW and SPE, he will instruct them to add whatever is necessary to fix the issue now, not just wait till the new pump station is built.

Also Mike said the BOS has instructed him and Macombe, when designing the new pump stations (specific to our Camelot #6 Pump Station), to move them as further away as possible from the houses within what can be done without having to redesign the plan. In talking to Macombe he thinks that there should be room to move some number of feet further away, but won't know until the design phase is done.

Ann, therefore we need to send out another email blast today just saying:

"Approval for the 537 Sewer Plan has been moved to its own meeting on Monday, February 4th at the Town Board Meeting room by the library. The time has not been set yet but most likely will be 7 or 7:30pm. We will let you know when it is finalized."

Thanks

Mark

Mark L. Kay, Chairman & CEO
StrikeForce Technologies, Inc.
1090 King Georges Post Rd, Suite #603
Edison, NJ 08837
Email: Marklkay@strikeforcetech.com
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(o) (732) 661-9641 x225
(f) (732) 661-9647
(c) (610) 246-4276

PLEASE VISIT STRIKEFORCE AT OUR BOOTH AT THE 2013 RSA SECURITY SHOW AT THE MASCONE CENTER IN SAN FRANCISCO, CA., MONDAY EVENING FEB. 25TH – THURSDAY FEB. 28TH AT BOOTH # 539

THE PATENTED "OUT-OF-BAND" AUTHENTICATION COMPANY

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2007/9 PLAN

The following is a tabulation of Future Flows into the CDCA system.

Upper Crum Watershed Area - Attachment 17
Flow Summary for entrance into CDCA
Last Revised: 5-17-07

Newtown Township Flow Contribution	Flow (gpd)	EDU (gpd/262.5)	Projected Flow into CDCA
PHASE 1 - PUMP STA #1 DuPont Property - ASHFORD DEVELOPMENT	Built Out		
PS #1 will pump to existing gravity in Ellis Ave to Camelot PS			
Echo Valley, Boot Road, Wolman Drive, Gushan Road, Phillips	51,800	58,000	221
Episcopal Academy		11,000	42
DuPont Rouse Ashford Development	115,000	438	October 2009
The Preserve, Stoney Knoll	40,000	152	Max Build Out - Future
PS #1 Subtotal:	224,000	853	
Camelot PS "			
Existing	135,000		
BPG Property	117,000	185,000	
Cornerstone	41,000		
Somerset	85,000		
Camelot PS "	446,000	1,699	
MELMARK		0	
Camelot PS - Proposed Total Flow	670,000	2,552	
PHASE 1A - PUMP STA #2 (W. CHESTER PK AND CRUM CRK)			
PS #2 will pump to existing gravity in Stoney Brook Blvd to Springton Pointe Treatment Plant (SPTP)			
Florida Park	21,000	80	January 2009
DeBolt Property in Newtown Township, Townhouse Development	105,000	400	June 2009
Old Masters Development	100,000	381	June 2009
Newtown Business Campus	35,000	133	
Subtotal:	261,000	994	
Edgmont Flows W. Chester Pk.	117,000	446	June 2012
PS #2 Proposed Total Flow:	378,000	1,440	
Stoney Brook Blvd, Old Forest, Hunter's Run		0	January 2012
PS #3 (SPTP)	35,000	133	
PS #3 Proposed Total	413,000	1,573	
PHASE 2 PUMP STATION #4			
Llanbollen, Bishop Hallow, Springton Pointe	10,000	38	
Edgmont Flows Gradyville Road	233,000	888	June 2012
Newtown Subtotal:	976,000		
Edgmont Subtotal	350,000	1,333	
Newtown and Edgmont total flow to CDCA:	1,326,000	5,051	

These projections were based upon coordination with developers, property owners and the needs assessments.

Camelot existing allocated flow to CDCA = 250,000 gpd per Seven Party Agreement.

*** It is proposed that SPTP be converted to a Pump Station (PS#3) upon satisfaction of Seven Party Agreement - August 2012.



Kelly S. Close Engineers
Consulting Engineers & Surveyors
Brandywine Summit, Building II, Suite 300
1785 Wilmington West Chester Pike
Glen Mills, PA 19033
610-355-4363 (P), 610-355-4378 (F)

ECHO VALLEY SYSTEM

Engineers' Opinion of Probable Costs

LPSS (FT)	FM (FT)	GRAVITY	LPSS COST	FM COST	GRAVITY COST	TOTAL	FLOW (GPD)	EDU'S (@250 gpd)
156.00 LF	\$124.00 LF	\$175.00 LF						
6.58 LF	0 LF	0 LF	\$601,820.00	\$0.00	\$0.00	\$601,820.00		
1.75 LF	0 LF	0 LF	\$154,350.00	\$0.00	\$0.00	\$154,350.00		
2.00 LF	0 LF	0 LF	\$189,000.00	\$0.00	\$0.00	\$189,000.00		
2.00 LF	0 LF	0 LF	\$50,400.00	\$0.00	\$0.00	\$50,400.00		
4.00 LF	0 LF	0 LF	\$387,000.00	\$0.00	\$0.00	\$387,000.00		
4.00 LF	0 LF	0 LF	\$40,800.00	\$0.00	\$0.00	\$40,800.00		
1.50 LF	0 LF	0 LF	\$350,000.00	\$0.00	\$0.00	\$350,000.00		
4.00 LF	0 LF	0 LF	\$174,800.00	\$0.00	\$0.00	\$174,800.00		
8.00 LF	0 LF	0 LF	\$554,400.00	\$0.00	\$0.00	\$554,400.00		
4.25 LF	0 LF	0 LF	\$387,000.00	\$0.00	\$0.00	\$387,000.00		
1.075 LF	0 LF	0 LF	\$87,750.00	\$0.00	\$0.00	\$87,750.00		
2.240 LF	0 LF	0 LF	\$207,600.00	\$0.00	\$0.00	\$207,600.00		
31.425 LF	0 LF	0 LF	\$10.00	\$0.00	\$0.00	\$10.00		
TOTAL SYSTEM PIPELINE							\$2,790,070.00	50,800
								255.2

Echo Valley is Tributary to the following Systems

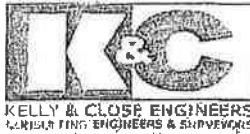
1 MARVILLE GRAVITY SYSTEM

2 PUMPSTATION @ WEST CHESTER PIKE
FM WEST CHESTER PIKE to SPRINGTON POINT STP SITE

3 PUMPSTATION SPRINGTON POINT STP SITE
FM SPRINGTON POINT to CDCA MH

1	MARVILLE GRAVITY SYSTEM @ 21,570,200	15.28%	\$120,335.20
2	PUMPSTATION WEST CHESTER PIKE @ FM WEST CHESTER PIKE to SPRINGTON POINT STP SITE	9.44%	\$223,030.14
3	PUMPSTATION SPRINGTON POINT STP SITE @ FM SPRINGTON POINT to CDCA MH	6.16%	\$111,620.09
	Echo Valley Tributary System Cost		\$455,594.43
	Echo Valley Collection System Cost		\$2,739,870.00
			\$3,195,464.43
	CONSTRUCTION 10%:		\$319,546.44
	SURVEYING, ENGINEERING, CONTRACT ADMIN & INSPECTION:		\$3,515,010.87
	LEGAL, BOND COUNCIL EASEMENTS:		\$351,501.09
			\$175,750.54
	Echo Valley System Project Cost		\$4,042,262.50
	System Project Cost per EDU (includes Episcopal Academy, Echo Valley, Florida Park and Campus Blvd)		\$11,838.38
	CDCA Cost per EDU		\$1,900.08
	CUSTOMER COST incl CDCA per EDU (EPISCOPAL Echo Vly & Florida Pks & Campus)		\$13,738.44

CDCA Flow	FLOW (GPD) (Requested)	EDU'S (@250 gpd) (Requested)	CDCA Cost	% of Total (in gpd)
ASSIPOND DEVELOPMENT	115,000	460.0	\$674,025.37	14.32%
EPISCOPAL ACADEMY	11,000	44.0	\$63,002.51	1.37%
WILLOW SCHOOL	25,000	100.0	\$190,005.38	3.17%
ECHO VALLEY SYSTEM	59,800	239.2	\$446,885.01	7.32%
MARVILLE GRAVITY SYSTEM	175,000	700.0	\$1,330,044.89	21.89%
FLORIDA PARK SYSTEM	21,000	84.0	\$198,605.38	2.55%
OLDE MASTERS DEVELOPMENT	100,000	400.0	\$760,025.54	12.48%
BP&G	267,000	1068.0	\$2,029,268.18	32.39%
CAMPUS BLVD	30,000	120.0	\$228,007.88	3.74%
SPRINGTON PORTE STP	50,000	200.0	\$50,000.00	0.87%
	637,800	3211.2	\$6,101,405.00	100.00%
CDCA Cost per EDU				
\$1,900.08				



Internal, Pre-Decisional, Deliberational Memo DRAFT

5/10/2010

Upper Crum Creek Flows- Newtown Township
Flow Projections

DESCRIPTION	UNITS	EDU	GPD
Echo Valley Service Area <i>SURVEY = 235 (61, 687)</i>	224	262.5	58,800
Florida Park Area	80	262.5	21,000
Hunter's Run	76	262.5	19,950
Hunt Valley Circle Area	30	262.5	7,875
Melmark School			25,000
Episcopal Academy			11,000
Ashford Development <i>Does not include public bldgs</i>	449		115,000
BPG			267,000
National Developers Realty Inc. <i>WAS 275,000</i>			250,000
Marville Site			
Olde Masters Site			
"Four Seasons" Gradyville Road			
Campus Boulevard <i>WAS 30,000 / 40,000 / 35,000</i>			26,000
CAMELOT PS			
Newtown Heights	160	262.5	42,000
Newtown Woods	130	262.5	34,125
Dudle, Greenbrier, & Mary Jane	50	262.5	13,125
Pulte Residents & Commercial District	140		43,100
Papernill - Albertos Restaurant & Terrazza Condominiums (108) <i>208 # of units</i>			55,000
Papernill - Somerset <i>sunrise, Of Bldg, club house</i>			80,000

117,862

<i>Following</i>	TOTAL CURRENT FLOW PROJECTION	1,068,975
	Flow Allocation under 12-21-2007 Agreement	961,975
	Additional Flow from UPT Agreement (Attachment 15)	100,000
	Total Flow Capacity to C.D.C.A.	1,061,975
	Difference:	-7,000

Future Flow Areas, Not to Be Sewered

Existing Whitehorse Properties, Farrier, Bridle Ln, Withers Ln.	51	262.5	13,380
Garrett Williamson			4,000
Sleepy Hollow, Frog Hollow, Springton Pointe Drive, Langollen (30 Additional Units in Marple)	74	262.5	19,425
Springton Pointe WWTP Service Area			35,000



Upper Crum Creek Flows- Newtown Township
Flow Projections - Special Study Florida Park

NT 130-B

2/28/2011

NAME OF DEVELOPMENT / LOCATION	DESCRIPTION	GALLONS / DAY	PROPOSED EDU's	APPROVED EDU's	EDU's DEVELOPED	TO BE DEVELOPED	TIME SCHEDULE FOR REMAINING EDU's
		(Special Study)					
Echo Valley Service Area	Existing Neighborhood (Special Study = 67 Homes)	17,587.50	67.00	67.00	206.00	206.00	1-5 Yrs 34,015
Florida Park Area	Existing Neighborhood (Special Study = 80 Homes)	21,000.00	80.00	80.00	97.00	97.00	1-5 Yrs 25,462
Hunter's Run	Existing Neighborhood (Not in Special Study)	0.00	0.00	0.00	76.00	76.00	1-5 Yrs 19,950
Hunt Valley Circle Area	Existing Neighborhood (Not in Special Study)	0.00	0.00	0.00	28.00	29.00	1-5 Yrs 76,125.50
Malmark School	Existing School (Not in Special Study)	0.00	0.00	0.00	95.24	95.24	1-5 Yrs 25,000
Episcopal Academy	Existing School (Not in Special Study)	0.00	0.00	0.00	41.80	41.80	1-5 Yrs 1,000
Ashford Development	Proposed Mixed Use Development (Not in Study)	0.00	0.00	0.00	0.00	0.00	1-5 Yrs 1,000
BPQ	Proposed Mixed Use Development (Not in Study)	0.00	0.00	0.00	0.00	0.00	1-5 Yrs 1,000
National Developers Realty Inc.		0.00	0.00	0.00	0.00	952.98	1-5 Yrs 2,000
Marville Site							1-5 Yrs 0
Older Masters Site							1-5 Yrs 0
Four Seasons - Gradyville Road							1-5 Yrs 0
Camden Boulevard	Existing Commercial Office (Not in Special Study)	0.00	0.00	99.04	99.05	99.05	1-5 Yrs 2,000
padily in CDCA / Delcora System		38,587.50				806,850.00	
OT P8 (EXISTING & PAPER FLOW)		125,000.00				250,000.00	

EDU = 262.5 GALLONS / DAY

TOTALS= 163,587.50

1,059,923.71

G:\Projects\Municipal\NT130-B\Revised 5-21-07 Act 537 Plan\18-Tabulation of Flows\Future Chart Rev 3.xls

Flow Allocation under 12-21-2007 Agreement 961,975

Total Flow Capacity to C.D.C.A. (current) 961,975

Flow Associated with Special Studies 163,587.50

694,625
103,000
797,625

776,048
(21,527)

Please Note: No Additional Flow Will Be Allowed To Enter The System Until
Permitted By The Department.



Upper Crum Creek Flows- Newtown Township
Flow Projections

NAME OF DEVELOPMENT / LOCATION	DESCRIPTION	GALLONS / DAY	PROPOSED EDI ²	APPROVED EDI ²	EDI ² DEVELOPED	REMAINING EDITS TO BE DEVELOPED	TIME SCHEDULE FOR REMAINING EDITS
Echo Valley Service Area	Existing Neighborhood	47,775.00	182.00	182.00	182.00	0.00	1-5 Yrs
Florida Park Area	Existing Neighborhood	33,337.50	127.00	127.00	127.00	0.00	1-5 Yrs
Hunter's Run	Existing Neighborhood	19,350.00	76.00	76.00	76.00	0.00	1-5 Yrs
Hunt Valley Circle Area	Existing Neighborhood	7,350.00	29.00	29.00	29.00	0.00	1-5 Yrs
Springmont Estates		35,000.00	133.33	133.33	133.33	0.00	1-5 Yrs
Melmark School	Existing School	25,000.00	95.24	95.24	95.24	0.00	1-5 Yrs
Episcopal Academy		11,000.00	41.90	41.90	41.90	0.00	1-5 Yrs
Antford Development	Proposed Mixed Use Development	115,000.00	450.00	0.00	0.00	450.00	1-5 Yrs
BFG	Proposed Mixed Use Development	287,000.00	1012.74	0.00	0.00	1012.74	1-5 Yrs
National Developers Realty Inc.		314,500.00	138.19	0.00	0.00	138.19	1-5 Yrs
Marville Site		100,000.00	390.95	0.00	0.00	390.95	1-5 Yrs
Old Masters Site		10,500.00	39.00	0.00	0.00	39.00	1-5 Yrs
Four Seasons - Goddville Road		26,000.00	98.04	98.04	98.04	0.00	1-5 Yrs
Campus Boulevard	Existing Commercial Office	812,412.50					
CAMELOT PS							
Camelot PS Existing Township Flows		73,300.00	279.54	279.54	279.54	0.00	Connected
Existing Fulton Residents & Commercial District		43,100.00	164.19	164.19	164.19	0.00	Connected
Albertos Restaurant & Terrace Condominiums (Ex-108 & Prop-108)		55,000.00	209.52	209.52	209.52	0.00	Connected
Somerset	Commercial - Partially Developed	80,000.0	304.76	304.76	304.76	109.52	Ex-Connected - Prop 1-5 Yrs
TOTALS=		1,063,832.50				254.76	1-5 Yrs

G:\Projects\Municipal\NT130-B(2011)\18-Tabulation of Flow\W Future Charts.xls

Flow Allocation under 12-21-2007 Agreement
Additional Flow from CDCA: obtained after 12-21-2007

Total Flow Capacity to C.D.C.A. 1,054,875

**Projection of IMMEDIATE NEEDS
Anticipated Units of Allocation and Flows
(gpd)**

Project Name	Plan Status	Total Flow (gpd)	Total Units of Allocation	Prior to 2012	Remaining Units of Allocation	2013	2014	2015	2016	2017	Total In 5 Years	Total Beyond 5 Years
Echo Valley Development	Existing Neighborhood	35,700	136	0	0	0	50	50	25	11	136	0
Goshen Road Area	Existing Neighborhoods	9,975	38	0	0	0	15	10	10	3	30	0
Soot Road Area	Existing Neighborhoods	0	32	0	0	0	12	10	5	5	32	0
Florida Park	Existing Neighborhood	30,338	127	0	0	0	0	40	10	10	60	67
Hunt Valley Circle	Existing Neighborhood	7,350	28	0	0	0	0	10	5	5	20	8
Hunter's Run	Existing Neighborhood	19,950	76	0	0	0	0	76	0	0	76	0
Campus Boulevard	Existing Commercial Office	26,000	99	0	0	0	0	0	0	0	0	99
Springtown Pointe Estates	Existing Neighborhood	35,000	133	0	0	0	0	0	0	0	0	133
Township Park Area (Bishop Hollow Rd)	Existing Neighborhood	1,050	4	0	0	0	0	0	0	0	0	4
Dogwood Area	Existing Neighborhood & Swim Club	2,365	9	0	0	0	0	0	0	0	0	9
Malmark School	Existing School	25,000	95	0	0	0	0	0	50	45	95	0
Episcopal Academy	Existing School (Currently Pump & Heat)	11,000	42	0	0	0	42	0	0	0	42	0
Ashford Development (250 gpd/EDU)	Prop. Mixed Use Development SRPA Approval (4-29-03-171-3)	115,000	460	0	0	0	0	25	25	25	75	585
BPG Additional 24,754 gpd will connect to RSM	Prop Mixed Use Development SRPA Under Review	185,000	705	0	0	0	0	50	50	50	150	555
National Development Realty, Inc. 1.a. Marietta Site Existing 2. Marietta Site Proposed 3. "Four Seasons" - Gradyville Rd	Newtown Business Center Marietta, Parcels D-1 & D-2, and Lot A Ex. Golf Course - Prop. Development Prop. 5 Lots and 37 Lots	3,500 83,950 78,100 5,450	13 320 298 36	0 0 0 0	0 0 0 0	0 0 0 0	0 0 0 0	0 0 0 0	0 0 0 0	0 0 0 0	13 320 298 36	0
CAMELOT P.S.		71,900	164	164	0	0	0	0	0	0	0	0
Camelot P.S. Existing Flows	Existing Developments	43,100	164	164	0	0	0	0	0	0	0	0
Pulte Residential & Commercial Existing Alberto/Terraza	Existing Residential & Commercial	1,520	103	103	0	0	0	0	0	0	0	0
Existing Alberto Restaurant Existing Phase I Terraza Condos	300 Seats 103 of 206 Units @ 200 gpd	20,500	103	103	0	0	0	0	0	0	0	0
Proposed Somerset/Cornerstone (109,600 gpd - PA DEP)	250 Apartments @ 200 gpd 157 Townhomes @ 225 gpd Remaining Flow not Assigned	50,000 35,275 28,775	250 157 128	0 0 0	0 0 0	0 0 0	0 0 0	20 20 0	20 20 0	20 20 0	60 60 0	190 77 128
Newtown Twp - IDCA	Remaining from 7-Party Agreement	3,280	15	0	0	0	0	0	0	0	0	15
	Misc Existing (fill)	21,847	97	0	0	97	2	5	5	5	19	78
TOTAL Units of Allocation			3,545	267	0	3,278	121	316	225	199	863	2,415
TOTAL FLOW (gpd) @ 162.5 gpd/Unit (Unless Otherwise Noted)		961,975	137,070	137,070	0	824,905	31,663	80,450	56,563	49,800	216,975	605,980

7-party 1:10:00
DUDIE DE etc. 13,125
MORE HV 788

Projection of FUTURE NEEDS
Anticipated Units of Allocation and Flows
(gpd)

Project Name	Plan Status	Total Flow (gpd)	Total Units of Allocation	Prior to 2012	2012	Remaining Units of Allocation	2013	2014	2015	2016	2017	Total in 5 Years	Total Beyond 5 Years
White Horse (Nolen)	Existing New Residential Development (50 total lots @ 225 gpd)	11,925	53	0	0	53	0	0	0	0	0	0	53
Liangzouli Area	Existing Neighborhood	13,350	51	0	0	51	0	0	0	0	0	0	51
Springton Pointa/Sloopy Hollow/ Frog Hollow	Existing Neighborhood	14,700	56	0	0	56	0	0	0	0	0	0	56
Gradyville Road Area	Existing Neighborhood	3,150	12	0	0	12	0	0	0	0	0	0	12
TOTAL Units of Allocation			172	0	0	172	0	0	0	0	0	0	172
TOTAL FLOW (GPD) @ 252.5 GPD/Unit (Unless Otherwise Noted)		43,165		0	0	43,165	0	0	0	0	0	0	43,165

Oct, 2012

Oct 2013

TOTAL UNITS OF AFFILIATION

Jul 1, 2013

Projection of FUTURE NEEDS
Anticipated Units of Allocation and Flows
(GPD)

Project Name	Plan Status	Total Flow (gpd)	Total Units of Allocation	Flow to 2012	2011	Remaining Units of Allocation	2011	2014	2015	2016	2017	Total 5 Years	Total Beyond 5 Years
White Horse (Neisen)	Existing New Residential Development (31 lots/ less @ 245 gpd)	11,913	51	0	0	51	0	0	0	0	0	0	51
Livingston Area	Existing Neighborhood	11,170	51	0	0	51	0	0	0	0	0	0	51
Springton Pointe/Steep Hollow	Existing Neighborhood	24,700	88	0	0	88	0	0	0	0	0	0	88
Frog Hollow	Existing Neighborhood	3,150	12	0	0	12	0	0	0	0	0	0	12
Grassybore Road Area													
TOTAL Units of Allocation			172	0	0	172	0	0	0	0	0	0	172
TOTAL FLOW (GPD) @ 201.5 GPD/Unit (Unless Otherwise Noted)		43,163		0	0	43,163	0	0	0	0	0	0	43,163

Flows

Newtown Twp Sewers

	2009 537 Plan Flow Chart	2009 537 Plan Map	2010 Proposal Twp to DEP	2010 Closer to actual need	Dec. 2009 Meeting Map	July 2011 K&C Chart	Mar. 2012 Ashford Agreement	Oct. 2012 537 Plan	Feb. 2013 537 Plan
Existing Camelot PS Flows									
Existing Pulte neighborhood	135,000	135,000	135,000	135,000	135,000	128,380			
Cornerstone	41,000	41,000	41,000	41,000	41,000	43,100			
Somerset	85,000	85,000	85,000	85,000	85,000	80,000			
	261,000	261,000	261,000	261,000	261,000	251,480	250,000	250,000	250,000
Existing Developments									
Echo Valley, Boot Rd, Woolman, Goshen Rd, Philips	58,000	58,800	58,800	58,800	58,800	47,775	58,000	54,075	54,075
Episcopal	11,000	11,000	(11,000)	(11,000)	11,000	11,000	11,000	11,000	11,000
Florida Park	21,000	21,000	21,000	21,000	21,000	33,338		33,338	33,338
Melmark			45,000	45,000	85,000	25,000	25,000	25,000	25,000
Hunt Valley Circle/Hunt Valley Lane						7,350	7,350	7,350	7,350
Preserve, Stony Knoll	40,000	85,000		40,000				11,925	11,925
Llangollen, Bishop Hollow, Springton Pointe	10,000	10,000	10,000	10,000	10,000	35,000		31,240	31,240
Stoney Brook, Old Forest, Hunters Run	35,000	35,000	35,000	35,000	35,000	19,950	30,000	54,950	54,950
	175,000	220,800	158,800	198,800	220,800	179,413	99,000	228,878	228,878
New Developments									
Reese Avenue Episcopal Swap			20,000	20,000					
BPG	185,000	185,000	267,000	267,000	267,000	267,000	267,000	185,000	185,000
Rouse (Ashford)	115,000	115,000	115,000	115,000	115,000	115,000	115,000	115,000	115,000
Debotton (Marville)	105,000	175,000	150,000	175,000	175,000	125,000	225,000	96,900	96,900
Old Masters	100,000	100,000	100,000	100,000	100,000	100,000		78,100	78,100
Newtown Business Campus	35,000	35,000	40,000	40,000	40,000	26,000		26,000	26,000
	540,000	610,000	692,000	717,000	697,000	633,000	607,000	501,000	501,000
All Others as specified on Ashford agreement							108,975		
Dogwood, Bishop Hollow, Inflow								25,262	25,262
Total Newtown Twp CDCA Flows	976,000	1,091,800	1,111,800	1,176,800	1,178,800	1,063,893	1,064,975	1,005,140	1,005,140
Over (Under) Capacity of 961,975 gals	-	(129,825)	(149,825)	(214,825)	(216,825)	(101,918)	(103,000)	(43,165)	(43,165)

Patti Wilson

From: pawils@comcast.net

Sent: Wednesday, January 30, 2013 7:14 AM

To: mwilson97@comcast.net

Subject: Waiver from the sewage facilities planning

Authorize Resolution for Sanitary Sewer Capacity Reallocation for Somerset/Terrazza Development:

Greg Adelman, Esq., representing the applicant, explained that Terrazza Phase II and Somerset are now tied together. A waiver from the sewage facility planning is requested as sewage for the combined development has decreased. Mr. MacCombie reviewed the agreement and the resolution. Solicitor explained the process. **Mr. Partridge made a motion to authorize approving the resolution, as stated, and for the Manager to execute the processing document. Mr. Nawn seconded the motion and the vote was unanimous. The motion carried.**

2/8/2013

Patti Wilson

From: pawils@comcast.net

Sent: Wednesday, January 30, 2013 7:16 AM

To: mwilson97@comcast.net

Subject: Requirements for subdivisions proposed to be served by public sewers--

What are the requirements for subdivisions proposed to be served by public sewers?

Sewage facilities planning is not required for subdivisions proposing service by public sewers when the following conditions are met:

1. DEP or a delegated agency has determined that the existing collection, conveyance and treatment facilities are in compliance with the Clean Streams Law and related rules and regulations.
2. DEP or a delegated agency has determined that the permittees of the receiving sewerage facilities have submitted information under Title 25, Pennsylvania Code, Chapter 94, that documents that the existing collection, conveyance and treatment system does not have either an existing hydraulic or organic overload or a five-year projected overload.
3. The applicant has provided written certification from the permittees of the receiving collection, conveyance and treatment facilities to the municipality where the subdivision is located that there is capacity to receive and treat the sewage flows from the applicant's proposed new land development and that the additional wasteload will not create a hydraulic or organic overload within the next five years.
4. The municipality where the project is located has a current, approved sewage facilities plan that is being implemented. The official plan of the municipality may not be under an order from DEP to submit an update revision or special study for the proposed subdivision area.

1/30/2013

BOARD OF SUPERVISORS

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Township of Newtown

209 Bishop Hollow Road
Newtown Square, PA 19073
610-356-0200

www.newtowntownship.org

MICHAEL TRIO, AICP
TOWNSHIP MANAGER

RICH SOKORAI, ESQ.
TOWNSHIP SOLICITOR

STANTEC, INC.
TOWNSHIP ENGINEER

BUILDING INSPECTION
UNDERWRITERS, INC.
BUILDING INSPECTOR

March 20, 2013

Craig and Lara Toerian
334 Crum Creek Lane
Newtown Square, PA 19073

**RE: Response to Public Comments
Act 537 Official Plan Update for
Newtown Township, Delaware County**

Dear Mr and Mrs. Toerian:

The Township is in receipt of your comments concerning the propose Act 537 Plan. The Townships responses to your comments are set forth below in bold.

I am writing to you regarding the planned sewer pump station that apparently will be situated at the end of Crum Creek Lane in the Echo Valley neighborhood. My family lives at 334 Crum Creek Lane which is the second house from the end of this street.

We are deeply concerned about the location of this pump station as it will without question deeply affect our property values. When we chose to purchase this home 10 years ago it was because we wanted a quite pristine location with as little traffic as possible, since our first home was on a noisy, busy road unsafe for our little children.

Just as one pays a premium to own an ocean front property or a home with great views we paid a premium to buy our current home with its ideal location. Since purchasing our home we have made a considerable additional investment in with a large addition and complete renovation and upgrade of the entire house and property. If the township chooses to go ahead and place the pump station in our Cul-de-sac it will be the equivalent of deciding to constructing oil drilling platform one half mile off the beach of Stone Harbor New Jersey! We are also concerned that there will be a through street constructed connecting Crum Creek with Goshen which will result in a large increase in traffic.

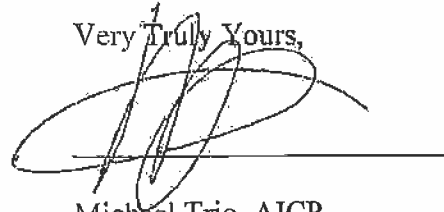
There is no reason to have the pump station situated with access from Crum Creek Ln as there is ample land to build the station on Goshen Rd with access from Goshen across from the Bartram Bridge or better yet on that unused piece of bridge land where it will not affect any current home owner. The noise associated would also be less of an impact as it would blend with the existing traffic noise.

Our septic system as well as the majority of the homes in Echo Valley are in working order and it is unfair for our Cul-de-sac to be punished so that a few of our neighbors who have problems can elevate the value of their homes.

We hope you will take our legitimate concerns seriously and expect that the township will be able to come up with a more sensible location for this pump station without legal intervention.

There is no reason to believe that locating a pump station on a property adjacent to the cul-de-sac will decrease the property value of existing homes on the cul-de-sac. Pump stations are common and necessary in residential communities for the treatment of sewage. In fact, access to public sewer will most likely increase your home value. The Township intends to use the highest quality pumps and enclose the mechanicals will in a small building that will be designed to coordinate with the aesthetics of the neighborhood. The pump station will bear no relation or similarity to an oil drilling platform. The access to the pump station will not create a thru-way to Goshen Road

Very Truly Yours,

A handwritten signature in dark ink, appearing to read 'Michael Trio', is written over a horizontal line. The signature is stylized with loops and a long horizontal stroke extending to the right.

Michael Trio, AICP
Newtown Township Manager

copy: File

March 14, 2013

Dear Mr. Trio,

I am writing to you regarding the planned sewer pump station that apparently will be situated at the end of Crum Creek Lane in the Echo Valley neighborhood. My family lives at 334 Crum Creek Lane which is the second house from the end of this street.

We are deeply concerned about the location of this pump station as it will without question deeply affect our property values. When we chose to purchase this home 10 years ago it was because we wanted a quite pristine location with as little traffic as possible, since our first home was on a noisy, busy road unsafe for our little children.

Just as one pays a premium to own an ocean front property or a home with great views we paid a premium to buy our current home with its ideal location. Since purchasing our home we have made a considerable additional investment in with a large addition and complete renovation and upgrade of the entire house and property. If the township chooses to go ahead and place the pump station in our Cul-de-sac it will be the equivalent of deciding to constructing oil drilling platform one half mile off the beach of Stone Harbor New Jersey! We are also concerned that there will be a through street constructed connecting Crum Creek with Goshen which will result in a large increase in traffic.

There is no reason to have the pump station situated with access from Crum Creek Ln as there is ample land to build the station on Goshen Rd with access from Goshen across from the Bartram Bridge or better yet on that unused piece of bridge land where it will not affect any current home owner. The noise associated would also be less of an impact as it would blend with the existing traffic noise.

Our septic system as well as the majority of the homes in Echo Valley are in working order and it is unfair for our Cul-de-sac to be punished so that a few of our neighbors who have problems can elevate the value of their homes.

We hope you will take our legitimate concerns seriously and expect that the township will be able to come up with a more sensible location for this pump station without legal intervention.

Sincerely,

Craig and Lara Toerien

(610) 325-0432

BOARD OF SUPERVISORS

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JOHN A. NAWN, P.E.



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BUILDING INSPECTION
UNDERWRITERS, INC.
BUILDING INSPECTOR

March 20, 2013

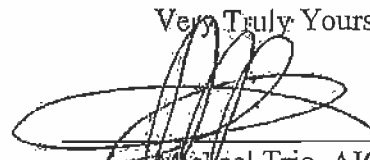
Andrew and Sandy MacLaren
333 Crum Creek Lane
Newtown Square, PA 19073

**RE: Response to Public Comments
Act 537 Official Plan Update for
Newtown Township, Delaware County**

Dear Mr and Mrs. MacLaren:

The Township is in receipt of your comments concerning the propose Act 537 Plan. There is no reason to believe that locating a pump station on a property adjacent to the cul-de-sac will decrease the property value of existing homes on the cul-de-sac. Pump stations are common and necessary in residential communities for the treatment of sewage. In fact, access to public sewer will most likely increase your home value. The Township intends to use the highest quality pumps and technology to mitigate noise and smell as well as enclose the mechanicals will be in a small building that will be designed to coordinate with the aesthetics of the neighborhood. The access to the pump station will not create an unsafe traffic situation, and will cause far less traffic than created by the local residents, mail delivery, or other similar background traffic. In addition, if there are particularly bad times for scheduled maintenance, more convenient times can be coordinated.

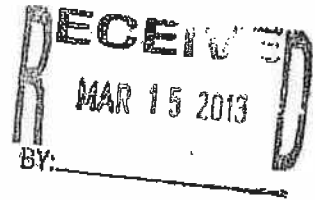
Very Truly Yours,



Michael Trio, AICP
Newtown Township Manager

copy: File

Andrew and Sandy MacLaren
333 Crum Creek Lane
Newtown Square, Pa 19073



Dear Mr. Trio,

This letter is in response to the current 539 plan for the sewer pump locations in Newtown Township. We are residents of Echo Valley and reside at 333 Crum Creek Lane. The current plan calls for a pump station at Goshen Rd. (pump station #3) which appears to be located at or very close to the cul de sac of Crum Creek Lane.

We are opposed to having a pump station located at any proximity to the cul de sac and are vehement that if it must be placed on the property of 4207 Goshen Rd. or 341 Crum Creek Lane, that the access road be on Goshen Rd, and in no way will it be accessed from Crum Creek Lane.

The neighborhood children of Crum Creek Lane use the cul de sac as a play area. Currently there is very little traffic and they would be at risk for injury if the pump station maintenance crew comes weekly for service. The smell and noise of the pump station will also have a direct health impact on our children as it will deter them from outside play anywhere near the pump station.

If you truly want the best scenario for all residents, prior to approval of this plan, please place the Goshen Road pump station as far away as possible from our Echo Valley neighborhood and have the access from Goshen Road NOT Crum Creek Lane! In fact, our suggestion would be to place the pump station on the property of the Covered Bridge if possible, for the least amount of impact on our neighborhood.

Thank you for your time and attention to our concerns.

Sincerely,


Andrew and Sandy MacLaren

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JOHN A. NAWN, P.E.



Township of Newtown

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TOWNSHIP SOLICITOR

STANTEC, INC.
TOWNSHIP ENGINEER

BUILDING INSPECTION
UNDERWRITERS, INC.
BUILDING INSPECTOR

March 20, 2013

Lino & Adelio Pierini
341 Crum Creek Road
Newtown Square, PA

**RE: Response to Public Comments
Act 537 Official Plan Update for
Newtown Township, Delaware County**

Dear Mr. and Mrs. Pierini:

The Township is in receipt of your comments concerning the propose Act 537 Plan. The Townships responses to your comments are set forth below in bold.

My name is Lino Pierini and I own the properties at 341 Crum Creek Road, tax id # 30-00-00549-37, and Lot 19-000 Crum Creed Road, tax id # 30-00-00549-24, in Newtown Square alone with Adelio Pierini. I am completely opposed to having the proposed sewer pump located near the cul-de-sac at the end of Crum Creed Road, next to my property. That location would have an adverse effect on my property value.

The Township does not believe there will be an adverse affect on your home as the Township intends to use the highest quality pumps and technology to minimize the noise and smell as well as enclose the mechanicals in a small building that will be designed to coordinate with the aesthetics of the neighborhood.

Very Truly Yours,

A handwritten signature in black ink, appearing to read "Michael Trio", is written over a horizontal line. The signature is stylized with loops and flourishes.

Michael Trio, AICP
Newtown Township Manager

copy: File

From: Mike Trio
Sent: Monday, March 18, 2013 11:46 AM
To: Holly Neff
Subject: FW: Sewer System Pump
Act 537 comments

From: Barbara White [mailto:Barb1@LNF.com]
Sent: Wednesday, March 13, 2013 6:43 PM
To: Mike Trio
Subject: Sewer System Pump

Dear Mr. Trio,

My name is Adelio Pierini and I own the properties at 341 Crum Creek Road, tax id #30-00-00549-37, and Lot 19-000 Crum Creek Road, tax id # 30-00-00549-24, in Newtown Square along with Lino A. Pierini. I am completely opposed to having the proposed sewer pump located near the culde-sac at the end of Crum Creek Road, next to my property. That location would have an adverse effect on my property value.

Sincerely,
Adelio A. Pierini