

**APPROVED**

October 17, 2007  
Salford, Pennsylvania

A joint meeting of the Upper Salford Township Board of Supervisors and Planning Commission was brought to order by Chairman Hagey at 7:30 PM. Messrs. Gular, Poatsy, Giannini, Raisner, Sacks, Nase and McMaster were present. Eric Jarrell, County Planner, Jeff Kerlin & Mike Reinert, Township Engineers and Stephen Imms, Township Solicitor also attended.

Jeff Kerlin reviewed the first draft of the **537 plan** and discussed the various options to manage wastewater in Upper Salford Township. Mr. Kerlin was seeking conceptual direction from the Board of Supervisors and Planning Commission before proceeding further with any particular option.

The four study areas were the three villages; Woxall, Salford and Salfordville, with the fourth area consisting of the rural balance. Because of the similarities of the villages in relation to lot size and soil conditions, he thought it best to group the villages together for consideration of a solution.

The first and most passive option would be an on-lot remedy. It is unlikely that the two villages of Salford and Salfordville would have suitable locations to utilize that option, however, that would be a possibility to consider for portions of Woxall and the rural balance.

Mr. Kerlin explained the main issues to contend with for on-lot systems would be the lot size, the soil series, the age of the existing system and the condition of the existing system. Generally, the minimum lot size for an on-lot replacement system would be one acre.

Spray irrigation systems would require large lagoons for storage as well as significant area to spray with proper soil conditions. If acquisition of land is required, it will consume more time and money. When consideration was given to Orchard Park for some type of land application, the Township Solicitor pointed out that the open space had been purchased jointly with the county and the project parameters may prohibit such use of the property.

Members of the Planning Commission were reluctant to accept the need for a communal system without additional research being performed to confirm mal-functions. Since the Township Engineer had provided his recommendation based on lot sizes and soil condition and the Planning Commission wanted to confirm the analysis, Eric Jarrell suggested that a door to door study be performed to get actual results, utilizing holding tanks for failing systems until it can be determined whether smaller systems could remedy the problem or a large community system would be the only answer. This could avoid the concern that some residents may spend money to fix their system, only to find that they need to hook up to a sewer line in the end.

Mr. Poatsy questioned why the Health Department was not closing down houses if there were so many failing systems in the township. He asked to be given a copy of the Montgomery County Health Department list of confirmed mal-functions. It was explained that the list was not a result of proactive inspections of an entire area but compiled most likely by complaints initiated by neighbors noticing problems or property owners with concerns. Mr. Kerlin indicated he would provide a copy of the list to

everyone. Mr. Poatsy felt the township should continue handling mal-functions as the county has, relying on complaints to track problems. The overall opinion was that the township could not rely on complaints as a planning option.

Mr. Kerlin indicated his belief that the problems in the villages were pervasive. Many residents are utilizing pre-regulatory systems or cesspools. In his opinion, every lot could be identified as a potential mal-function. Clinton Cleaver from DEP was not privy to the township's study or the 537 plan draft when he made statements regarding a step approach during the last joint meeting he attended in September.

When questioned who would pay for the costs involved with a community system and whether everyone within the boundaries of the sewer district would be required to connect, Mr. Imms indicated that the Board of Supervisors would be required to adopt a policy addressing those issues. That would not be a decision for the Township Engineer to make.

It was agreed by everyone that public education is critical. Residents need to be notified what is happening and what can be expected.

Mr. Raisner indicated that he did not feel it would make sense to spend more money on a study of Salfordville when we are already aware there is a problem in that area and understands the need for a communal system to address those problems. He questioned what options other than a stream discharge could be considered for Salfordville. The three community systems available for consideration are the two land applications, spray and drip, and then a stream discharge. Mr. Jarrell pointed out that if recharge is a concern, a spray irrigation system would not be an alternative.

Mr. Giannini asked for more land application options and requested that the cost estimates be limited to one sheet with just a summary of the bottom line for each solution suggested.

Mr. Kerlin stressed that the soils in Upper Salford Township are severely limited with shallow bedrock and limiting zones. The natural limitations of the area do not offer many soil based options. We will most likely be required to utilize a combination of land based disposal along with a stream discharge system; however, Mr. Kerlin felt it is certain that a full treatment plant will be needed. The goal is to keep the aquifer in balance, not degrade our streams and utilize recharge whenever possible but we must decide on something that is viable now.

Mr. Imms encouraged the Planning Commission and Board to give the Township Engineer specific directions. Clarify if they are interested in land acquisition or if they would prefer to use township property. If land acquisition is suggested, direct them to areas for consideration. Since the Planning Commission indicated they would like to consider land acquisition, Mr. Sacks suggested discussing locations at the next meeting.

Mr. Kerlin verified that their study had been limited to township owned properties to eliminate the cost of acquisition. He reiterated DEP's requirement that the 537 plan needs to be viable. We need to prove we have the right of use and the means of disposal, which would take considerably longer if land acquisition is required. Through map investigation, some properties can be considered for acquisition based on their proximity to the need area, their soil series and their size. The Township Engineers will review the soils map and get back to the Planning Commission and Board of Supervisors with some options.

Mr. Kerlin asked for confirmation that entire villages could be looked at as a whole unit when seeking tracts of land to service the villages, to which all agreed.

There were some speculations as to what would constitute a property viable to use for a land application system. It was determined that a hydrologist study would be needed. Concerns were voiced with regard to the cost of land acquisition and political issues relating to the condemnation of a parcel if the landowner is unwilling to sell.

Mr. Kerlin indicated that he will be providing an estimated cost per EDU, which will include the collection of wastewater, the conveyance of the wastewater to the treatment plant, the cost to construct the treatment plant, the disposal cost and any land acquisition if needed.

Resident Tom Brown mentioned that many houses have systems 35 years old or older with only two people residing in them at this time since their children have grown and moved out. If those homes are sold to younger families, he fears those systems could not handle the increased usage.

Resident Ernie Rosato asked if individual treatment plants would be needed for each village or if one central plant could be used for all. Mr. Kerlin explained that most likely one centralized treatment plant could be used with several disposal locations. The size of the plant could be increased to maximize the number of users.

Resident Barbara Gormley was concerned that a sewer plant would increase new development in the area. Mr. Imms explained to her that the entire township would not be included in the sewer district. The township is required to provide sewage management for the zoning permitted. The township zoning is identified in the Indian Valley Regional Comprehensive plan as rural and development is restricted to comply within the boundaries set forth in the township zoning ordinance. As long as the zoning ordinance does not get changed, a developer could not supersede the zoning in place. DEP would not support a planning module for a property not within the sewer district and not in compliance with the township zoning. Developers would not have the option to build more lots than allowed by the zoning because the sewage treatment is there.

Mr. Kerlin asked for some guidance and confirmation from the Board and Planning Commission as to whether they feel all of the villages deserved a community solution. The unanimous decision was yes; therefore Mr. Kerlin indicated he would be investigating land based options for connection to all of the villages.

That concluded the discussion on the 537 draft plan.

On a motion by Mr. Giannini and seconded by Mr. Sacks, the minutes of the September 19, 2007 Joint meeting were unanimously approved as amended.

At this time the Board of Supervisors took action on various issues relating to the Hershey Final Plan, Resolution 2007-12, a fire police appointment, and the bid letting for deicing materials. The separate minutes documenting the Boards' action will be made a part of these minutes but approved solely by the Board of Supervisors.

Richard Parry from **T. H. Properties** appeared before the Board and Planning Commission to follow up on any questions they may have since the last meeting he attended. He also provided lists noting the waivers THP will be requesting associated with the project, variances they will be seeking due to the request made to extend the golf course, as well as conditional uses and special exceptions. Listed separately were the special exceptions and variances that would not be included in the agreement that THP would be required to apply for after the agreement is signed. The special exceptions included usages in the flood plain district and the variances were associated with the

extension of the golf course. Mr. Raisner asked if a list of the interpretations was available for review, to which Mr. Parry responded he did not have a copy with him but indicated he would obtain copies for the Board and Planning Commission for the next meeting. The various waivers were reviewed.

Mr. McMaster asked Mr. Parry if THP could calculate the volume of storage capacity in the ponds and basins and confirm daily water requirements during peak time for irrigation purposes. Mr. Parry anticipates having that information when he attends the next Planning Commission meeting in November.

Mr. Poatsy asked if THP had considered utilizing a spray irrigation system for sewage management and to irrigate the golf course. Mr. Parry indicated they had not but that was something they could look into.

Mr. Parry confirmed that although this is the first golf course THP is building, they have managed another golf course successfully in Upper Hanover Township for two seasons.

Mr. Nase asked that if comments and requests made previously by the Planning Commission are not going to be addressed on the plan, he would like to be notified and informed why. Mr. Hagey explained Mr. Parry had not had a chance to look into all of the suggestions made at the last Planning Commission meeting. His presence at the joint meeting was mainly to answer questions relating to the waivers and that further discussion on the plan would continue at the next Planning Commission meeting.

Mr. Nase asked to see designs for the clubhouse as per the ordinance, as well as the individual homes.

Mr. Poatsy asked who was at the meeting between THP and the owners of the Shelly Square sewage treatment plant. Mr. Parry indicated he was not aware, he was not involved in the meeting, but he believed there was an agreement in place.

It was discussed that the township has the option to take over the ownership of the sewage treatment plant. The township currently holds the permit for the plant as required by DEP.

Resident Kevin O'Donnell asked what the township's rights and obligations are being the permittee of the sewage treatment plant. After Mr. Imms' explanation, Mr. O'Donnell asked how the developer could make an agreement with the owner of the treatment plan without the township's authorization. Mr. Imms explained that they can make an agreement, but they do not have the ability to effectuate the agreement without the township's permission.

Resident Ernie Rosato mentioned to Mr. Parry that the high school being built in Franconia Township will be utilizing treated effluent from the new treatment plant to irrigate the sports fields and suggested contacting them for information.

Resident Barbara Gormley mentioned her confusion with the treatment plant and the agreement between Shelly Square LP and THP, and questioned how that tied in with the waivers. Mr. Imms indicated it had nothing to do with the waivers. The township had the final say in relation to any expansion of the sewage treatment plant. Mr. Poatsy questioned if the township could use its position as the permit holder of the treatment plant to remove the stipulation that the plan needed to be reviewed within 18 months or the \$3,000,000 offer would be deducted from. He believed that offer to be a ruse since he felt it would take more than 18 months to review the plan. Mr. Imms clarified that the agreement could be modified under the circumstances presented to the parties involved; however, there was no connection between the sewage facility and the time limitation for the plan review as they were separate issues.

With no further comments or questions, the meeting adjourned at 10:55 p.m.

Respectfully submitted,

Susan Rosato  
Assistant Secretary