

**McDevitt, Kathryn**

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**From:** Havir, Bryan  
**Sent:** Friday, March 29, 2013 11:21 AM  
**To:** McDevitt, Kathryn  
**Subject:** Fw: Act 537 Comments

Please print out and scan

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**From:** [REDACTED]  
**Sent:** Thursday, March 28, 2013 10:13 PM  
**To:** Havir, Bryan  
**Subject:** Act 537 Comments

Act 537, Official Sewage Facilities Plan Update, February 2013.

Volume 1, Page 47 section F.  
Sewage Management Program

A Septage Management Program/Ordinance shall be investigated at some time in the future, and has not been prepared as part of this plan.

As a Facilities Master Planning consultant, I suggest that any Facilities Plan that has any chance of being successful must have a Management Plan integrated within it.

To produce a Facilities Plan without a Management Plan is simply putting the cart before the horse.

A comprehensive Management Plan will impose significant changes to the Facilities Plan, so the Management Plan must be completed before any Facilities Plan is proposed.

In other words this Facilities Plan is so fundamentally flawed because there is no Management Plan that is should not be accepted for approval.

Best Regards,  
Grahame Maisey

to the Draft Cheltenham Township, Montgomery County, Pennsylvania Act 537 Official Sewage facilities  
Plan Update, February 2013

1. Consideration of transfer of EDU policy and legislation

As there are a limited number of EDUs (Equivalent Dwelling Units) in Abington Township, Cheltenham Township, Jenkintown Borough and Springfield Township; and as the lack of available EDUs inhibits and prevents economic development; and as unutilized EDUs cannot be sold, transferred or released from properties to make them available for other properties for potential use and economic development, there should be a consideration of the development or a transfer of EDU program. This concept and practice if implemented would be similar to a transfer of development rights (TDR) program, which is allowed under the Pennsylvania Municipalities Planning Code. It is likely that in order to enact and implement a transfer of EDU program, which could allow for the transfer of EDUs within and across municipalities in a defined region under the provisions of a collective agreement or an adopted plan, that Pennsylvania legislative action would be needed. Such legislation and other necessary actions to allow for the transfer of EDUs should be considered, investigated and pursued. This concept has been discussed by the Cheltenham Township Economic Development Task Force and the BRIC Committee of the Eastern Montgomery County Chamber of Commerce, both of which support the general concept and considers it worthy of exploration.

2. Non-expiration of EDUs on vacant commercial properties

The Southeast region of the Pennsylvania Department of Environmental Protection (DEP) has implemented a policy whereby if a commercial property is vacant for a year or longer than any EDUs associated and attributed to that property are no longer available. This discretionary policy and practice apparently only applies to the Southeast region of Pennsylvania. This policy and practice makes it difficult to sell, renovate and reuse long-term commercial properties and causes a negative impact on economic development and on the tax base and well-being of areas that have a lack of available EDUs. This policy and practice should be reconsidered for repeal for reasons stated above, and as it apparently has not been implemented throughout Pennsylvania and is therefore punitive to the Southeastern region. This concept of repealing this policy and practice has been discussed by the Cheltenham Township Economic Development Task Force and the BRIC Committee of the Eastern Montgomery County Chamber of Commerce, both of which support the general concept.

3. Act 537 Official Sewage Facilities Plan Update Volume 1, Page ES-5

**Tapping Fees**

In addition to tapping fees for new development and redeveloped properties along with updated user fees, there should be the consideration of impact fees for new development, which could be more closely aligned with the impact of the development or redevelopment than tapping fees. Both the tapping fees and impact fees should be developed and implemented uniformly by Abington Township, Cheltenham Township, Jenkintown Borough and Springfield Township. There should also be a consideration of tapping

fees for on-lot disposal systems (OLDS systems) that fall and need to connect to the sanitary sewer system. (page 30.)

Recognizing the impact of inflow and infiltration on the waste water system, there should also be a consideration of the implementation of a storm water fee by Abington Township, Cheltenham Township, Jenkintown Borough and Springfield Township, similar to what was recently implemented by the City of Philadelphia.

#### 4. Act 537 Official Sewage Facilities Plan Update Volume 1, Page 24

##### **Future Growth and Land Development**

In Cheltenham Township, there is a disconnect between the separate Zoning Code and the Subdivision and Land Development Ordinance. This results in land use and development proposals being reviewed and decisions being made and proposals being approved in many if not most cases without an integrated evaluation and appropriate consideration of waste water and related storm water impacts (due to the impacts that storm water has on inflow and infiltration on the waste water system), as these storm water and sewage management and handling issues are not addressed in the Zoning Code but are addressed in the Subdivision and Land Development Ordinance. The effect of this is that developments can be planned and approved under the zoning code without adequate planning or consideration of waste water and storm water impacts. This can lead to design failures in terms of not considering or requiring integrated best water management practices in site planning; a lack of consideration on the impact to the waste water and storm water systems and on local and area flooding; and the zoning approval of projects regardless of if there are EDUs available or if the proposed development is in conflict or goes against Township waste water and storm water plans. Accordingly there needs to be a strong upfront connection and inclusion of storm water and waste water issues in the zoning code and zoning approval process rather than waiting for the separate land development approval and planning process to address these issues.

There also should be a better acknowledgement in this plan of Cheltenham Township's storm water related flooding and infrastructure issues and needs and the related storm water planning work under way being led by the Army Corps of Engineers. The issues of waste water and storm water flooding in Cheltenham Township and the area covered by this plan should not be addressed as two nearly totally separate issues as they are in large part related, and the issues of storm water and waste water impact each other in a number of ways.

#### 5. Act 537 Official Sewage Facilities Plan Update Volume 1, Page 28

##### **Future Growth Areas, Population, and EDU Projections for the Planning Area**

It is unclear as to what the complete basis is, and what underlying assumptions and calculations were used to develop the table of proposed equivalent dwelling units in the table. I realize that these are addressed in Appendix O: Planned/Future Development Map and Tables, but there is a lack of background information and details as to how these numbers were developed; specifically in terms of how they were attributed by year range cohorts.

6. Act 537 Official Sewage Facilities Plan Update Volume 1, Page 45

**Public Water Conservation**

There is a brief statement made recommending encouraging the installation of water conservation devices and low-flow fixtures. This idea should be pursued and an educational/information campaign and there should be consideration of providing local government rebates or reduced cost water conservation devices and low-flow fixtures.

7. Act 537 Official Sewage Facilities Plan Update Volume 1, Page 61

**Analysis of Available Funding Methods**

There is another potential funding method that is not addressed in the Plan Update, but should be considered, which is the creation of a municipal authority under the Pennsylvania Municipality Authorities Act. The Act allows for the creation of municipal authorities for a number of purposes including sewers, and sewer systems or parts thereof. Municipal authorities can impose mandatory fees on properties. Such an authority is mentioned on page 73 of the Plan in the context of joint cooperation. While this concept is worthwhile to pursue consideration of from cooperative, planning, oversight, maintenance and implementation perspectives, there are also meaningful funding and revenue benefits that could be derived from municipal authority for the purpose of implementing capital improvements. Three key benefits for using a municipal authority as the vehicle to help implement and pay for the capital costs (improvements) associated with the Plan are that:

1. A Municipal Authority can be created among multiple jurisdictions and can cover an area of more than one municipality. (The boundaries of a municipal authority can include all or specific parts of one or more municipalities.)
2. The fees for the improvements, which are not real estate taxes, can be applied to all properties in the municipal authority, including institution and non-profit owned properties.
3. The fee structure can be structured in a flexible manner in terms of providing for charges that align with the benefit or impact associated with specific properties.

8. Act 537 Official Sewage Facilities Plan Update Volume 1, Page 75

**Sewer Impact Fee**

The concept of moving from a per fixture rate to an Equivalent Dwelling Unit (EDU)/gallon per day (GPD) flow rate as a means for charging sewer rates should be pursued as there would be a strong nexus between sewer usage consumption and charges.

9. Act 537 Official Sewage Facilities Plan Update Volume 1, Appendix M

**Homogenized Planning Area Zoning Map**

The Map shows Lynnewood Gardens as being commercial, when it is residential.

## 10. Act 537 Official Sewage Facilities Plan Update Volume 1, Appendix O

### **Planned/Future Development Map and Tables**

There are several questions related to the total figure of projected needed EDUs of 3,880 (page 28 of Act 537 Official Sewage Facilities Plan Update Volume 1) for Cheltenham Township. The figure of 3,880 EDUs appears to be high, especially in light of recent development and the associated low number of apparently new 600 EDUs being used in Cheltenham Township from 1997 to 2010. The 3,880 figure appears to be for a near maximum build out of all potential new developments on vacant parcels or sub-parcels in the Township. While there is a need to plan for future growth and while one can assume that there are economies of scale in building in more and perhaps excessive EDU capacity, there is a general question as to if the amount of planned EDUs for Cheltenham are too high at 3,880, and what would be the cost savings be if there was a lower yet reasonable level for increased EDUs that allowed for growth at a level that while aggressive was also more pragmatic in scale.

There appears to be a disconnect from Cheltenham Township's Comprehensive and Open Space plans and this Plan, which appears to call for a full or a near-full buildout of the Township. There should be an evaluation as to how this Plan conflicts and can be in better cooperation with the Township's Comprehensive and Open Space and other relevant plans such as the Montgomery County Comprehensive Plan. There needs to be a much better balancing of the goals and levels of development proposed for in this Plan and facilitated by the planning for and call for increased EDUs and the current and future Cheltenham Township planning and zoning objectives and documents.

There are also some questions about the data in the table. Creekside Market is listed with 7.3 potential future EDUs needs; however, Creekside Market has been opened for nearly half a year. There is also an allocation of 300 EDUs for each of five commercial enhancement districts. This allocation for planning for future growth and more density may be too high as the commercial districts are generally all or nearly all built out, and as some of the properties in the commercial districts (e.g. Creekside Market) are already listed separately and have their own associated potential future EDUs needs listed in the table.

**McDevitt, Kathryn**

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**From:** Havir, Bryan  
**Sent:** Friday, March 29, 2013 2:35 PM  
**To:** McDevitt, Kathryn  
**Subject:** Fw: Comments on Act 537 - Email 1  
**Attachments:** Act 537 - Comments - Cerebi.doc; DELCORA final d\_Layout 1 - Lateral Brochure Final.pdf  
Please print and scan.

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**From:** [REDACTED]  
**Sent:** Friday, March 29, 2013 02:32 PM  
**To:** Havir, Bryan  
**Cc:** [REDACTED]  
**Subject:** Comments on Act 537 - Email 1

Please see attached letter and attachments concerning the Act 537 Plan. A second email will follow with additional attachments.  
Ted Cerebi

4/1/2013

Township Manager Bryan T. Havir  
8230 Old York Road  
Elkins Park PA 19027  
[bhavir@cheltenham-township.org](mailto:bhavir@cheltenham-township.org)

Jenifer Fields, Program Manager  
DEP Southeast Regional Office  
Water Management Program  
2 East Main Street  
Norristown, PA 19401  
[jefields@pa.gov](mailto:jefields@pa.gov)

Concerned Parties:

I would like to express my concerns regarding Act 537 and CAP plan.

Based on the plan and various meetings and updates, it is clear that the Township needs to move forward on this path, but we also need to be aware of the cost to the residents of Cheltenham and the surrounding affected areas and how we can best mitigate these costs.

I hope that this cost burden for sewer and lateral repairs will be applied to all residents, businesses and nonprofits in a fair manner. I need not tell you that practically every conversation I hear about the township begins with how high the taxes are and what effect development will have on our property values.

My major concern is how the township plans to attack the issue of lateral repair and the cost of the implementation. At first glance it appears that certain high I&I areas will be approached first with the remainder of the township being deferred until properties are put on the market for sale. I understand the immediacy of approaching the high I&I areas first, but if the issue of I&I is so critical, it would seem a better idea to complete remediation sooner rather than in the 20, 30 or more years it will take to by waiting until the sale of a property. I feel that the remainder of the township should be done perhaps on a rotating basis, by area, until all homes have been inspected and repaired. A final inspection by the township, or approved township vendors, could then be done before a sale to insure that no new issues have arisen.

Now, on to the cost to repair or replace laterals: Other areas of the state, as well as the country, have set up programs to help the homeowners with some, if not all of the cost of the repairs. This could be accomplished through residents, businesses and nonprofits paying some fee into a general fund to be used to offset the costs. Consideration should also be given our senior citizens, or low-income residents that may find the repair cost prohibitive. Low interest loan programs might be another approach, either through state agencies or local banks.

This leads to the ordinances that will be required to implement inspection and replacement or repair. Any ordinance should be drafted with complete

transparency so that all residents understand the need for these measures and the consequences if we do not correct them. Other areas have had campaigns to inform the residents through numerous small meetings (say with each area commissioner), as well as published brochures that educate the residents on the issues, problems and need for future development, as well as the benefit to lower surcharges due to excessive flows and the elimination of DEP fines.

I have mainly addressed the lateral issue here, since I believe that staff and the Commissioners will be doing everything in their power to mitigate the cost of all phases of this plan. That being said, I am concerned on how apartment buildings and nonprofit organizations will be addressed. This must be a shared responsibility. These entities share in the flow and should share in the cost of repairing the system. Since the plan considers bond issues and loans, how will the Township assure that these facilities shoulder their share of the responsibility?

Lastly, I would strongly suggest that the township institute a program to educate the residents about all aspects (and phases) of this plan, and how this will affect our taxes, future development, quality of life, and township sustainability. Many residents are so busy with their daily lives that they are unaware of the scope of the problem or that major renovation to the sewer system is required. I can assure you though, that when the realization of costs, either through higher sewer fees, surcharges or possible cost when they sell their homes, there will be more than a few unhappy people.

Other areas have addressed these issues thoughtfully. I have included attachments that describe their programs.

1. Delaware County Regional Water Quality Control Authority - PRIVATE LATERAL INFLOW AND INFILTRATION ELIMINATION PROJECT
2. DELCORA - Lateral Brochure
3. New ordinance will require Oakland property owners to replace leaking sewer pipes
4. The City of Ballwin -- Highlighted items
5. A Matter of Choice - Municipal Sewer & Water Magazine -- Highlighted item

Respectfully,

Ted Cerebi  
300 Maple Ave.  
Wyncote

EVERY YEAR DELAWARE COUNTS HUNDREDS OF MILLIONS OF DOLLARS TO TREAT RAINWATER IN THE SANITARY SEWER SYSTEM!

THAT'S TENS OF THOUSANDS OF DOLLARS WASTED EACH WEEK AND IT'S PAID FOR THROUGH YOUR HOME FEES!



Your sewer lateral is the pipe from your house to the sewer main in your street. You own the sewer lateral under your yard.

Lateral sewer laterals, connected to manholes and sump pumps allow rainwater to enter the sanitary sewer system.

Once that rainwater mixes with the sewage, it must be treated at the sewage treatment plant.

You are responsible for properly maintaining your sewer lateral to stop rainwater from entering the sanitary sewer system.

A well-maintained lateral protects public health and the environment and can help you save money.

**SEWER LATERALS NEED TO BE RESPECTED PERIODICALLY, IF YOU HAVE NOT INSPECTED, REPAIRED, OR REPLACED YOUR LATERAL, IT COULD BE FAILING.**

Warning! Leaking, loose pipe joints, and tree roots, which get rainwater into the sewer system, rainwater also enters the lateral through unsealed downspouts, basement sump pumps, foundation drains, and driveway drains.

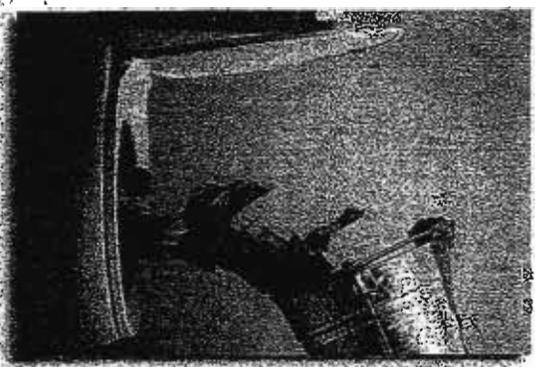
**WHEN RAINWATER IS ALLOWED INTO YOUR LATERAL, THE SEWER MAINS CAN OVERLOAD, LEADING TO A BACKUP OF RAW SEWAGE IN BASEMENTS.**

Sewage is foul smelling, very difficult to clean up, and it can make your family very sick. It is a nightmare if sewage backs up into a house, damaging linens, children's toys, irreplaceable family photos, or an entertainment/recreational area.



DELCO RA  
108 East Fifth Street  
P.O. Box 999  
Chester, PA 19016-0999

**STOP THROWING  
MONEY DOWN THE  
DRAIN!**



How to Safeguard your Home,  
Community, and Environment

SEWAGE TREATMENT PLANTS ARE DESIGNED TO TREAT THE WASTEWATER FROM THE HOMES, BUSINESSES, AND INDUSTRIES IN YOUR COMMUNITY. BUT WHEN CONNECTED DOWNSPOUTS, SUMP PUMPS, AND LEAKY LATERALS LET RAINWATER INTO THE SYSTEM, THE EXTRA WATER CAN OVERLOAD THE SEWAGE TREATMENT FACILITY.



If extra water overwhelms the treatment facility, raw sewage may overflow manholes into the streets. Raw sewage may even be discharged from the treatment facility directly into streams and rivers in your community. Raw sewage in public areas can make people very sick and raw sewage in creeks and streams is an environmental disaster!

**A QUALIFIED PLUMBER CAN FIND PROBLEMS IN YOUR SEWER LATERAL AND HELP FIND ANY IMPROPER CONNECTIONS USING ONE OF THE FOLLOWING TECHNIQUES:**

- **Visual inspection** - A special camera is pushed through your lateral. The plumber can view the lateral's interior on a video screen and see any problems.
  - **Dye testing** - A non-toxic dye is dripped into basins around your house, including downsports and the soil above the lateral. Dye appearing in nearby manholes indicates problems.
  - **Smoke testing** - A special, non-toxic smoke is pumped from the sewer main into your lateral and monitored to see where the smoke appears. Smoke seeping from the pipe or through the ground indicates a leak. Smoke seeping from the downsport indicates an improper connection.
- If a downsport or sump pump is connected to your lateral, you must have it disconnected.**

**If your lateral has cracks, loose pipe joints, or tree roots, you must have it repaired or replaced.**



**YOU CAN HAVE YOUR LATERAL REPAIRED IN SEVERAL WAYS:**

- **Open cut excavation** is the traditional method of digging out your lateral for removal and replacement.
- **Slip Lining** (pictured left) does not require extensive excavation. A winch pulls a flexible, liner pipe into place inside your existing pipe.
- **PIP (covered-by-pipe pipe)** involves a hot shoe, attached with glue, being inflated inside your existing damaged pipe. Once the glue has set, the hot shoe liner is left in place and the repair is complete.
- **Pipe bursting** is the slip lining except a small, metal rod is pulled through your existing pipe. The rod breaks the pipe and pushes the pieces into the soil, pulling a new pipe into place behind it.

**AS LATERALS AGE WITHOUT BEING INSPECTED OR REPAIRED, THE COST GOES UP TO TREAT RAINWATER AND THE CHANCE INCREASES FOR A SEWAGE BACKUP IN YOUR BASEMENT.**

Everyone knows how important it is to maintain your property and home. It is just as important to maintain your sewer lateral even though you cannot see it.

You must inspect your sewer lateral to ensure that you are not contributing to the problem.

The Delaware County Regional Water Quality Control Authority (DELCOA) exists to protect and improve the quality of life of our communities.



For more information, contact:  
**DELCOA**  
100 East Fifth Street  
P.O. Box 399  
Dover, PA 19004-0399

Or  
Your Local Sewer Agency  
You may find the address on your sewer bill or in the phonebook.

Or watch a FREE VIDEO ON THE INTERNET: [WWW.DELCOA.ORG](http://WWW.DELCOA.ORG)

**McDevitt, Kathryn**

**From:** Havir, Bryan  
**Sent:** Monday, April 01, 2013 7:28 AM  
**To:** McDevitt, Kathryn  
**Subject:** Fw: Cheltenham Township Official Act 537 Sewage Plan Update, public comments  
**Attachments:** Act 537 sewage plan - Robert Hyslop public comments.doc

Please print and scan.

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**From:** Robert Hyslop [REDACTED]  
**Sent:** Friday, March 29, 2013 10:27 AM  
**To:** Havir, Bryan; Felix, Anna Marie  
**Cc:** Sharkey, Drew; Haywood, Arthur; Portner, Harvey; Hampton, Kathy; Norris, Dan; Simon, Morton; McKeown, Charles; Montgomery, Amy; Jenifer Fields <jefields@pa.gov>  
**Subject:** Cheltenham Township Official Act 537 Sewage Plan Update, public comments

Please confirm receipt of these comments prior to the 3/30/13 deadline for inclusion in Act 537 Plan, at least from the Township Manager's office.

The attached file is a duplicate of the following text, formatted as a separate document. Information is identical and may be used from either format.

The following are submitted as my public comments for the Cheltenham Township Official Act 537 Sewage Plan Update:

### 1. INTERIM PRIVATE PROPERTY PROTECTION

I studied enough real estate law to learn that private property is protected from damage crossing the property line, whether above ground or below ground. So, I am deeply troubled that the township sanitary sewer system, which is designed to take wastewater and sewage from the home downhill by gravity, can be so overwhelmed to overflow uphill through several feet of elevation, and discharge into any homes, without the township satisfying damage claims, and even worse not preventing future overflows. This first occurred in my home on 6/22/1989, almost 24 years ago. If Act 537 is a real solution to sewer overflows, and if sewer overflows are finally solved by the projected 2019 date, what acceptable remedy does the township offer to residents reporting sewer overflows in the interim, lasting 30 years?

### 2. PENALIZE OVERFLOW DAMAGE TO PRIVATE PROPERTY

Page 7 (of 45) of the August 2012 CAP (contained in the Act 537 plan, Appendices file page 36) notes that wastewater in Cheltenham Township from dry weather sanitary sewer overflows are "usually contained within a basement or on a property", rather than draining to a watercourse. Does the township find it acceptable to use private basements or any private property for the township sanitary sewer to overflow, anytime it is under capacity? In that event, what measures will the township provide to such homeowners to restore such homes to their original condition? Since cleaning up after sewage is not quite the same as no sewage at all, what punitive measures will the township impose on itself to compensate the property owner, in a gesture of good faith, and as a financial disincentive, until such overflows into private property are corrected?

### 3. EXCEEDING 100% SYSTEM CAPACITY

Act 537 Official Sewage Facilities Plan Update page 21 (ARRO file page 34) shows that wet weather flows are between 64% and 78% higher than dry weather flows (328% vs. 200% maximum capacity, and 89% vs. 50% minimum capacity, respectively) for sanitary sewer

4/1/2013

Interceptor A between manholes MH A-154 to MH A-1. Ideally, they should be the same, with zero infiltration and zero inflow. So, there is a long way yet to go, even if any of the sewer infiltration and inflow reductions have outpaced the additional sewer connections, true? Furthermore, the maximum flows range between 200% of current capacity in dry weather and 328% of current capacity in wet weather. Since the township sewer cannot be effective when loaded to 328% of its capacity, or even to 200% of its capacity, this clearly documents that current flows are severely exceeding capacity in both dry weather and in wet weather conditions. Therefore, no sanitary sewer connections (EDUs) should be added until both dry weather and wet weather flows are demonstrated to be well within current capacity. Otherwise, does Cheltenham Township condone the damage to private property due to sewer system overflows without taking financial and punitive responsibility for its undersized sewer system?

#### 4. RESPONSIBILITY FOR DEFERRED SEWER MAINTENANCE

Several years following my 1996 complaint to DEP of repeated sanitary sewer overflows (SSOs) into my home that had been reported to the township without correction, Cheltenham finally inspected their sewer lines in my neighborhood, finding a) "considerable evidence of leaking joints and mineral deposits which indicate previous leaking joints", b) an average of "about 2 gallons of joint sealing grout to seal a joint", c) "the main interceptor from Springhouse Lane to Boston Market was one-quarter filled with mud and sediment" (230 S. Easton Rd., directly behind my property), and d) "one of the manholes was 90% blocked". This was documented at 5/9/2000 Public Works (page 18). Since the township chose to defer sewer maintenance until this level of deterioration and reduced sewer capacity had caused multiple and severe sanitary sewer overflows into my home, why were my repeated requests for damages from the township for unhealthy sanitary sewer overflows denied? How will Act 537 prevent such violations to private property in the future? Will damage settlement to the private property owner be required of the township?

#### 5. ACCEPTABLE PREVENTIVE MEASURES

If it takes decades to repair the sanitary sewer system, which it already has, then Cheltenham must take preventive measures to contain the overflow of the township-owned and township-maintained sewer system or pay for the damages caused by that overflow in the interim. If this means installing a backflow valve to prevent sewage from entering into a relatively few number of homes while the system is repaired, then the township must either repair the system before the next overflow or add acceptable prevention valves. Our first sewer overflow from the township system occurred on 6/22/1989. Per Act 537, relining and replacement of only a portion of the 106-mile sewer in phases 1A through 4 are not scheduled for completion until 2019, 30 years after our first of 26 reported sewer system overflows. How long should the homeowner be subjected to overflows of the township sanitary sewer system before preventive action is taken by the township?

#### 6. NO ADDITIONS WHILE EXCEEDING CAPACITY

Cheltenham Township website demographics state that there are 14,897 housing units. Since my 1/16/2013 (Public Works) question to identify as a baseline the number of current connected EDUs in Cheltenham remains unanswered, using 14,897 it seems that 3,880 additional EDUs would be a 26% increase in sewer connections. Also, 3,082 additional EDUs projected for higher flows from Abington would require an additional 21% increase on the current sewer capacity. How can the township overload a sewer system with even more development (EDUs), while the current system still overflows into homes, and into commercial buildings, and onto private yards, and into waterways? Fix the current system capacity first. It is unacceptable to increase the number of sewage inputs without first repairing the underlying infrastructure.

#### 7. HOW MUCH DEVELOPMENT

Township Manager David Kraynik stated, in his 12/20/1996 letter to the PA-DEP Water Management Regional Manager Joseph Feola, that the township was "98% developed" and that "the likelihood of any

significant development is remote". If so, why did Cheltenham Township request and successfully obtain approximately 600 more EDU sewer connections ("on a case-by-case basis") between 1997 and 2010 (Township Manager David Kraynik 9/7/2010 PowerPoint presentation to the Commissioners at Public Works, page 8)? How many more would there have been if there had been no restriction of an EDU moratorium? Furthermore, why is Cheltenham Township now requesting an additional 3,880 new EDU connections (a 647% increase of the 600 EDUs already added over a 14-year period), if the township was previously already 98% developed, 600 EDUs ago? Which information is correct?

#### 8. DEP WILL HAVE NO REGULATION AFTER EDU RELEASE

Since the engineering justification for those 600 new EDU sewer connections proved to be faulty, demonstrated as SSOs continued to occur through 2011, arguably in greater frequency and severity and in more neighborhoods, I implore the DEP not to allow any number of EDU connections in bulk, especially not 3,880. Instead, Cheltenham should only be allowed a portion of the measured wet-weather flow reduction (well under 50%). This should only be based on wet-weather reduction, and only after reduced flow is first verified with accurate measurement. This is the only way that the sanitary sewer capacity actually improves at all, rather than deteriorate further, before any additional connections are permitted to aggravate an overloaded system, as has been happening for decades. DEP must retain regulatory authority.

#### 9. CONSEQUENCES OF FAULTY ENGINEERING

In the 9/7/2010 PowerPoint presentation to the Commissioners at Public Works, Township Manager David Kraynik stated (page 27) that between 2007 and 2008, average sewer flows decreased by an amount equivalent to more than 2,000 EDUs (over 500,000 gallons per day). However, page 3 (of 45) of the August 2012 CAP notes that the rainfall decreased by 6 inches during those same years, from 2007 to 2008, explaining that the decreased sewer flows were due to less infiltration from far less rain rather than simply sewer repairs. Furthermore, the same page notes that rainfall then increased by 13 inches the next year, from 2008 to 2009, with a 73% increase in average sewer flow (866,000 more gallons per day, equivalent to 3,464 more EDUs). This increased flow was despite the projected infiltration and inflow relief from sewer repairs in 2009; including the completion of phase V cleaning, televising, and sealing 190,000 linear feet of sewer pipe at \$1,048,100. Therefore, the apparent 2008 reduction was a false one, while the 2009 increase from more rain had very real consequences to private property, to neighborhoods, and to streams. Why did the township still claim credit in 2010 for an artificial reduction of over 2,000 EDUs for 2008, but not offer to return a future credit of 3,464 EDUs for 2009, both based on measured changes in sewer flow rates? The two years should have resulted in a net loss of EDUs, not an offset, and certainly not only submitting credit for a gain. Where are such automatic corrections in Act 537?

#### 10. ADJUSTMENTS FOR MISCALCULATIONS

I pay sewer taxes for sewage removal, not delivery. What measures in the Act 537 plan will prevent the township from delivering sewage to any private property in the future? What consequences to protect private property are immediately activated upon miscalculations in reduction measurement, system design, repair, or insufficient maintenance?

#### 11. EFFECTIVENESS OF REPORTING PRIVATE PROPERTY DAMAGE

The first document of Appendix R (Connection Management Plan) contains a chart and a flawed justification for 569 more EDUs dated 9/28/2011, just days after residents overwhelmed the 9/14/2011 Public Works meeting with testimony about flooding and a history of sanitary sewer overflows in the township culminating in the 9/8/2011 disaster. By 2011, wasn't the township already aware of the faulty calculation from reduced 2008 rainfall, and the increased flows from 2009 rainfall, yielding a net negative effect in system capacity despite repairs? This 9/28/2011 EDU request apparently ignores the damages to private property that same month from the existing deteriorated condition of the sanitary

sewer. Why would Cheltenham Township pursue any further sewer connections (EDUs) before correcting the existing severe capacity problem? Manholes were still discharging sewage into streets, onto and into private property, and into waterways. Sewage was still pouring into homes and businesses, uphill, against the gravity design. Does this 9/28/2011 EDU request to DEP represent all of the SSO reports by all residents to the township sewer inspector, both preceding and following 9/8/2011, across multiple Cheltenham neighborhoods? Otherwise, is filtering residents' SSO reports and public testimony from the DEP and perhaps even from the Commissioners a way to discourage future resident SSO reporting, compounding the discrepancy between reported and actual SSO magnitude? What part of Act 537 Plan prevents such future behavior?

#### 12. UNDER-REPORTING

Between 1996 and 2011 inclusive, I had personally reported at least 25 documented storms causing sanitary sewer overflows on Harrison Avenue, either through street manholes, yard manholes, into basements, or potentially all. Have each of these reported SSOs also been reported by the township to DEP? If not, does that not convey a deliberate attempt at under-reporting sanitary sewer overflows, allowing underestimation of the problem magnitude, delaying the system repair, and further overloading the sanitary sewer system by requesting and accepting and connecting even more EDUs? Even if all have been reported by the township (they have not, according to my observations), I urge DEP to consider from the evidence that very few residents will recognize the seriousness of SSOs, and will understand the cause of SSOs even in their home, and will report all SSOs to the township, and will be persistent enough to document each and track each through DEP reporting. This effect must be factored into the actual reports which are received by DEP. The past reported SSOs must be extrapolated to the current system measures of under-capacity, and used to project from future reporting to estimate actual future sewer conditions. However, even a single SSO, especially into a home or business, is too many and must be stopped immediately. Elevation within hundreds of township manholes and thousands of township laterals offer a massive underground volume to contain the sanitary sewer "sanitarily" within a buffer. Once a single manhole lid or a single basement elevation is exceeded, there is property damage.

#### 13. TOWNSHIP CONSISTENCY

In the 9/7/2010 PowerPoint presentation to the Commissioners at Public Works, Township Manager David Kraynik stated that the township "sanitary sewer system periodically experiences sanitary sewer overflows", and that "about 8-10 properties are periodically affected" (page 4). There were considerably more than 10 property owners documenting SSOs to the township via letters and faxes and e-mails, in dozens of public meetings, even in several newspaper articles, since 1996. Does the township now acknowledge that these statements were gross under-reporting of the problems reported since 1989 and documented since 1996, both in frequency and in number of properties affected? Was this description even consistent with the damages from massive sewer overflows only one year later (9/8/2011) or even earlier that same year in April 2010 (in Elkins Park)? How will such under-reporting be prevented in the future, especially with 3,880 EDUs in hand?

#### 14. PRIVATE PROPERTY DAMAGES

I took preventive action myself after 5 SSOs in 1996 alone, all reported to Cheltenham Township, and then to DEP. I did not need a grinder pump on my sewer lateral, which was offered to other residents at greater township expense (but only after the massive public outcry on 9/14/2011, not when severe SSOs had occurred in those same neighborhoods during April 2010). I did not need an Overflow Resistance System, which was also offered to other residents at much greater township expense (but only after the massive public outcry on 9/14/2011, not when severe SSOs had occurred in that same neighborhood in 2005). I only needed sewer backflow and gate valves at a fraction of the cost to prevent SSOs into my private property.

Township Manager David Kraynik stated in his 12/20/1996 letter to the PA-DEP Water Management

Regional Manager Joseph Feola, that the township offered a backflow valve to me "in a gesture of cooperation and good faith". In fact, the township offer was completely unacceptable because a) it included a plastic valve on a cast-iron lateral. No information was provided on manufacturer, warranty, or maintenance, as requested, b) Installation by a professional sewer contractor was not provided, c) The homeowner was responsible for valve maintenance without any description of adequate maintenance as requested, d) Access to the valve for proper cleanout via manhole was not offered due to additional cost, despite maintenance being mandated as a homeowner responsibility, then passed on to all future homeowners of my property, and e) The homeowner was required to waive township liability for future sanitary sewer overflows, rather than only for past sewer overflows. As I recall, my research on liability discovered that one of the 8 listed exceptions to the township sovereign immunity defense was for sanitary sewers. Was the gesture of cooperation and good faith by the township "offer" merely an attempt to entice the homeowner to waive future township liability for its sewer system (a valuable real estate right), rather than to accept responsibility only for past damages? Why were my repeated requests for relief of these five unacceptable conditions denied? Have all of these unreasonable conditions been removed from the township's current "free" backflow valve offer? What measures are in place to assure that future township responsibility is accepted for damages to private property from sanitary sewer overflows?

#### 15. MISTRUST OF THE TOWNSHIP

I certainly do not want to repeat the past, at least not past mistakes. However, the suffering that has already occurred can be used as an opportunity to correct mistakes, rather than to repeat or even magnify those mistakes through denial. But the mistakes must be acknowledged, not rewarded. In order to put into perspective my frustration with warning the township formally since 1996 about severe sewage overflows into some Harrison Avenue homes (5 overflows documented in 1996 alone, following multiple phone calls by multiple neighbors to the township plumbing inspector since 1989), then persistently pursuing township sewer improvements despite no damage settlement, I relate to the Township Manager, to the Township Engineer, and to the 4 newest Commissioners, all of whom were not serving at the time, this major accomplishment (despite much township resistance and delay). This example shows why there has been ongoing resident mistrust of township officials, both on sanitary sewers and on flooding matters. This is now an opportunity to accept responsibility for past township behavior.

Upon completion of the Carroll Engineering June 2004 Glenside / Laverock Area Infiltration and Inflow Investigation report, I was not successful in getting Township Manager David Kraynik to even address the results of the report during at least 4 Public Works meetings over one year after its release (8/10/2004, 10/12/2004, 4/12/2005, and 5/10/2005). This report had already been funded and completed, the results were intended to show measured system improvement in inflow and infiltration from the 1998 baseline report, therefore quantifying taxpayer sewage treatment cost reduction, yet it was not even being discussed, not even when requested by a resident at risk, someone whose neighborhood was at risk, or simply by a taxpayer. So, I obtained a copy of the Carroll engineering report myself and personally read the executive summary to the Commissioners and into the public record at the 9/13/2005 Public Works meeting 15 months after the report had been issued to the township. The township's own Waverly Road Leaf Composting Facility (WLCF) was identified as contributing over half of the inflow from CH4 (23,000 linear feet of 8" diameter gravity sewer in Laverock area), an area where inflow was measured to be two times worse than the other areas studied surrounding the Harrison Avenue SSOs reported since 1996. The 5 acres of rainfall from the WLCF draining into the sanitary sewer, was measured at a rate of 100,000 gallons per inch of rainfall. Our rare 10-inch storms would empty over one million gallons of stormwater into the sanitary sewer. This had been resulting not only in ongoing SSOs into homes and streets and waterways, but also adding significant taxpayer cost for ongoing sewage treatment of rainwater in the sanitary sewer. During the delay in addressing the results of the completed engineering report, 6 or 7 more SSOs occurred and were reported on Harrison Avenue alone

(the seventh occurred 10/8/2005 before engineering bids to address the WLCF, with 2 more SSOs in 2006).

Why should a resident have to pursue completed analyses 5 times in public meetings over 15 months to get appropriate township action? For what expertise and services are we paying high taxes? Finally, in 2007, the direct connection of the township leaf composting facility's stormwater into the sanitary sewer was removed, eliminating 5 acres of rainfall draining into the sewer. The Spring 2007 Cheltenham Update even boasted of a Stormwater Best Management Practices award to the township for removing the leaf composting facility stormwater connections to the sanitary sewer (page 4), failing to mention that it was only after repeated attempts by a single resident, who was persistent enough to read their own engineering report summary into the public record. Why accept an award for what was resisted, and delayed, and might have still remained undone?

Even worse, the September 1988 Cheltenham Township Infiltration / Inflow Study by SMC Martin Inc. had warned, decades earlier, a) that the sanitary sewers downstream of the leaf composting facility were already hydraulically loaded to or near capacity; b) that inflow and infiltration can contribute to surcharging in the sewer system, c) that this condition could result in fines from the DER (later named the DEP) and potential damage to private property, and d) that by instituting recommended inflow and infiltration reduction programs, the township would realize a positive cost benefit in 5 years. When was the WLCF first connected to the sanitary sewer system? Late 1980s, wasn't it? Was this 1988 study used, or intended to be used for the WLCF connection decision? This report was dated (mere coincidence?) less than a year before my first sewer overflow, into my home (after almost 6 years since the home was purchased without a single SSO), on 6/22/1989, which was perhaps preventable by addressing the very recent 1988 report. Since the township chose to add this massive 5-acre stormwater connection without first verifying adequate sanitary sewer capacity, why were my repeated requests for damages from the township for unhealthy sanitary sewer overflows into my home denied? What consequences in Act 537 will prevent such violations to private property in the future?

#### 16. NEW EDUs vs. EXISTING EDUs

Why are the new sewer connections (EDUs) more important to the township leadership than the existing sewer connections, already meeting code, with property owners already paying high township taxes? How can you punish a single private property with sewage while not accepting township responsibility for damages, and still add a single sewer connection, let alone hundreds or even thousands?

#### 17. INCENTIVIZE EDU REMOVALS

Can EDUs be sold back by residents to the township, for the same price charged by the township, to incentivize simultaneous removal of connections to accommodate growth, rather than simply adding more sewer connections?

#### 18. ACCEPTING TOWNSHIP RESPONSIBILITY

If Cheltenham Township is free to request and distribute EDUs in any quantity, Commissioners must be willing to accept the responsibility for any misjudgments or miscalculations which negatively impact private property.

Robert Hyslop, 211 Harrison Ave., Glenside, PA 19038

McDevitt, Kathryn

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From: Hawk, Bryan  
Sent: Monday, April 01, 2013 7:27 AM  
To: McDevitt, Kathryn  
Subject: Re: Comments on ACT 537 Official Sewage Facilities Plan  
Kathy: Please print and scan.

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From: John Dunphy [mailto:jdunphy@pa.gov]  
Sent: Friday, March 29, 2013 04:42 PM  
To: Hawk, Bryan  
Cc: Dunphy, John [mailto:jdunphy@pa.gov]; Jefeids@pa.gov <jefeids@pa.gov>; Sharkey, Drew; Haywood, Arthur; Portner, Harvey; Hampton, Kathy; Morris, Dan; Simon, Morton; McKeown, Charles  
Subject: Comments on ACT 537 Official Sewage Facilities Plan

1. Including the financing of ACT 537 Official Sewage Facilities Plan Update Volume I and II, February 2013, how much will the entire project cost per household?

- a. Who is the Arro Group?
- b. What will be each household's share?
- c. Will the costs be based on usage?
- d. What is the plan?

2. How many linear feet is my responsibility to the connection with the sanitary sewer? Where can I locate this information?

3. Is there any financial help for residents?

4. When will I be impacted by an inspection of roof drains and lateral line?

5. Who will do the work?

- a. A Township list of approved contractors?
- b. Each homeowner can contract as necessary?
- c. What is the estimated cost per linear foot?
- d. Enforcement plans?
- e. Senior citizen consideration?

6. What will be the arbitration process should it be necessary?

- a. Will the homeowner be responsible the legal fees?
- b. Who will determine the facts, figures, and which opinion is honored?

7. Will businesses, non-profits, and tax-exempts pay their fair share?

- a. What is the volume of flow they contribute to the existing sewer system?
- b. Who will determine this?
- c. Are they currently charged for sewers?

8. Do commercial properties currently pay sewer fees?

- a. What is the basis for their payments?
- b. Is volume, size of facility, or usage used to determine the costs?

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9. There is no mention in the proposed update to ACT 537 Plan to mandate the installation of low flow plumbing fixtures which would reduce the volume of waste in our sewer system. Why? The reduction of capacity might void the need for additional capacity.

10. Why should the DEP give our township any EDUs before the system is totally fixed and checked during heavy rainfall to ensure we do not overload the system and cause more harm to our creeks and private property?

11. Is it lawful to make the inspection and replacement of lateral lines and downspouts a condition of the sale of a property?

a. What is the basis for this? State code?

12. It seems that the entire system is aging and that piecemeal approach would drive the costs higher. If the laterals are faulty, it is likely that the main sewers would also need replacement. A long process at best, but might be less costly if it were done on a planned schedule.

13. There seems to be no consideration given to the capacity after the system is fixed? When and where measurements are taken is important. The project seems flawed at the outset.

14. Cheltenham figures on large growth with the request of 3,880 EDUs. There is nothing in the document that states what the capacity of the sanitary sewer system will be after the repairs and replacement of the different sections. Maybe there will be no need for extra capacity.

15. There is no discussion in the document about a homeowner having to fix their lateral line. The main sewage line (Township responsibility) needs to be coordinated with the project from beginning to end. The process as outlined is not well conceived.

16. Government by crisis is poor government. This should have been addressed years ago. As a longtime resident of close to 50 years, I am disappointed at the inept leadership in Cheltenham Township. Could not these problems been addressed in a more timely manner? Did this sewer line deterioration happen overnight? Were there no signs of a problem? Is there reason to suspect more than just incompetence? This is a low point in Cheltenham's history. I hope the leadership has the time to rally and fix this disaster-in-the-making

John Dunphy  


**McDevitt, Kathryn**

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**From:** Havir, Bryan  
**Sent:** Monday, April 01, 2013 7:26 AM  
**To:** McDevitt, Kathryn  
**Subject:** Fw: Act 537  
Kathy: Please print and scan.

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**From:** [REDACTED]  
**Sent:** Friday, March 29, 2013 07:52 PM  
**To:** Havir, Bryan; jefields@pa.gov <jefields@pa.gov>; Hampton, Kathy; Haywood, Arthur; bcastor@montcopa.org <bcastor@montcopa.org>; leslie@montcopa.org <leslie@montcopa.org>; josh@montcopa.org <josh@montcopa.org>  
**Cc:** [REDACTED]  
**Subject:** Act 537

I live in Cheltenham Township is a statement that made me proud. I was raised here, raised my children here but I am no longer proud to say I live here. I have lived here for 99% of my life and now I feel trapped here.

If you are wealthy you have no worries for you have the finances to accommodate the financial burden of the Act on the residents. I however, am not wealthy and work 3 jobs just to keep my house and I am getting to the point that I can not work 3 jobs anymore and fixed my house up to sell it. Who is going to want to buy? Who is going to want to live in the township between all the flooding and now you are going to make it a requirement to replace the lateral. With what? You expect me the homeowner to foot the bill for something the township totally mishandled for years. The township knew that the sewage lines were only going to last so long and you should have had a plan in place. Which would have avoided the township wasting our tax dollars on fines.

In all of these meetings not once have you considered the residents that have lived here all their lives and the financial burdens you just keep repeatedly putting on them. One would think you were trying to push us out, oh but we can't leave because we can not sell our houses. So what state will that leave the township in, possibly a bunch of foreclosed homes that are empty because NO ONE can afford them. Is that the township you want to live in because I seriously doubt anyone does.

I understand the problem but you need a solution everyone can live with not just the wealthy homeowners.

These are my questions that I request answers:

1. What PA law allows you to suddenly require a homeowner to be subject to undetermined costs associated with Act 537 in order to sell their home?
2. If my lateral line is fine, how can I be expected to replace it for the sale of my home.
3. What is replacing the lateral line going to cost me?
4. How am I going to pay for it?
5. What contractors do you plan on using? or do we need to find our own?
6. Who is paying for the lateral line inspections and roof drains?
7. Why are the large facilities including churches, schools and others not addressed at all that clearly add to the overall problem?

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- 7a. When will they be addressed and accessed and told how much they will be paying?
8. With limited growth capabilities in the township, how so you go from 294 edus to 3880 edus in 20 years?
9. At one of the meetings, you talked about the flooding and that the sewage issue and flooding issue go hand in hand. There was a couple meetings about the Army Core of Engineers and nothing. Has that been tabled till more flood waters take over or was the Army Core of Engineers plan approved and is going forward. If it was approved what are the details of the plan that is in action and when will it occur?
10. What will Cheltenham Township be in the future? Proud or eye sore?

Remember the people of the Township elected you to represent ALL of the residents not just the wealthy.

Respectfully submitted,

Theresa Abraham, Wyncote PA

**cc:Mr. Bryan T. Havir**

Cheltenham Township Administration Building  
8230 Old York Road  
Elkins Park, PA 19027-1589  
215-887-6200 Ext. 112 Fax: 215-887-1561

4/1/2013

**McDevitt, Kathryn**

**From:** Havir, Bryan  
**Sent:** Monday, April 01, 2013 7:25 AM  
**To:** McDevitt, Kathryn  
**Subject:** Fw: comments regarding ACT 537  
**Attachments:** My comments and questions about ACT 537.docx

Please print and scan.

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**From:** Olga McHugh  
**Sent:** ~~Saturday, March 30, 2013 11:54 PM~~  
**To:** Havir, Bryan  
**Subject:** comments regarding ACT 537

Dear Mr. Havir, Township Manager:

Below are a list of my concerns and questions regarding The ACT 537 Update. I hope to receive feedback within enough time prior to the April 10, 2013 public meeting.

### 1. Concern

A major concern that I have regarding The ACT 537 Update document is: Cheltenham is seeking 3,880 EDUs.

Cheltenham Township has evolved over time to take action only on a "Complaint Basis or legally forced to action." The Township is rarely proactive or takes preventative measures our infrastructure, ordinance compliance, traffic violations etc. The sewage system has been allowed to deteriorate until it has polluted Cheltenham's portion of The Tookany/Tacony Watershed and contaminated private property and public parks. Our children and pets can no longer safely walk in the streams and creeks. Homeowners have experienced sewage flooding into their homes, as can be seen on [www.floodside.com](http://www.floodside.com). Stormwater floods the sewage system because no one has acted to prevent other municipalities from draining their stormwater into overburdened streams. The stormwater seeks an alternative and finds the deteriorated sewage system which then fills it to overflowing capacity.

The fact that the sewage system was decaying and in need of repair and section to be replaced should not have been a surprise....all infrastructure decays over time. It is ONLY because the PA DEP imposed a fine and moratorium on the use of EDUs that the Township has finally reacted due to the legal compliant/compliance imposed by the PA DEP. And, thank goodness for this, for if it weren't for these restrictions by PA DEP, the Township would be either doing nothing or as little as possible to provide the residents with a repaired sanitary sewer system. Residents have suffered with sewage contaminating their living spaces for more than 20 years and their complaints have fallen on deaf ears because the Township was able to get away with it. The Township official actually encouraged and facilitated the connection of the 42 inch stormwater pipe that drains the Easton Road underpass to the Brookdale Road neighborhood. Additionally, Township Officials did nothing to prevent the widening of Rt. 309 which removed a large green median and added more paved surface which drains into Rock Creek. The Township Officials did not protect us from the Abington redesign for accelerated stormwater runoff from Baeder Run creek.

The PA DEP should not give any EDUs to Cheltenham Township until our sanitary sewer system is totally repaired and tested for capacity, which must be done during a heavy rain. If the PA DEP gives Cheltenham any EDUs prior to the total repair of the system it will become an enabler to a "do nothing, complaint based, legal compliance" attitude that permeates the

4/1/2013

Cheltenham government. Residents are looking to the PA DEP to protect our homes and our environment from this unresponsive local government.

## 2. Capacity

Since the sanitary sewer system is in a state of decay, no one really can testify to the existing contributing sewage into the system.

Only when the system is repaired and sealed, to eliminate the infiltration of stormwater, will the real quantity of sewage needed to be transported for treatment be known. Once this is determined, only then will the additional amount of EDUs be revealed to fill the system to capacity. Only at this point should a request be made to PA DEP for additional EDUs. Presently, taxpayers are paying to treat not only the sewage in the system but the stormwater.

I am sure that the capacity is known for which the sewer system was, but, what is not known is the capacity that is needed for today by the existing properties. When the system was built families were larger, washing machines used more water, toilets used more water for flushing, dishwashers were not included automatically in newly constructed homes and if they were the volume of water needed was larger, there were no low flow faucets and in general the idea of water conservation in a home, business or institution was nonexistent. With all the new water saving appliances, plumbing fixtures, and smaller family sizes there must be a reduction in waste water per property for which the system design did not account for.

From 1997 to 2010 (13 years) Cheltenham used only 600 EDU's. (see Kraynik PPP dated 9-7-2010) Why is it that Cheltenham now needs 2,086 EDU's for a 15 year time period? (Page 28 of document or Page 41 of pdf) Justify where this growth will occur.

No EDUs should be given to the township until the system is totally repaired and adequately monitored over time to include heavy rain fall. Consideration of water use per property during different seasons of the year needs to be considered in this monitoring. The results may reveal that the system is not to full capacity with sewage and we are not using the EDUs that have been presently allocated to the Township.

If the Township shifts away from charging rates based on plumbing fixtures and some water usage to totally charging for the use of the sewer based on the amount of water used on a property... won't this be an incentive for property owners to do all they can to reduce water usage to lower the fee they are charged? This will reduce the amount of discharge into the sewer system.

Get real numbers of sewage being contributed to the system, not just request EDU's based on a sanitary system that is filled with stormwater.

## 3. Cost

There is nothing in The ACT 537 document which reveals the true cost that property owners will incur if all of the opinions and options are implemented as stated in the document. There are a lot of hidden expenses:

- The biggest injustice in the document is that there is nothing regarding the inspection of roof drains and sewer laterals for institutional, commercial, governmental, school, religious or other non-residential properties. There is nothing in the document that states whether these property owners contribute to the use of the sewer system – supposedly the line item that appears on residents' bills charging for sewer usage is not a tax (stated many times by township officials.)
- One of the unknown costs is how much more will it cost to treat the increased sewage of 3,880 EDU's? Where is this cost projected out over a 10 year, 20 year and 50 year time span?
- Debt servicing of the loan to fund the capital costs is not included in the document. Why not?
- Other costs that do not appear anywhere in the document are the tapping fees.

- The document calls for property owners to replace lateral lines at the point of sale of a property. This requirement could stretch out the repairs and or replacements of lateral lines for many many years. So, stormwater would still be seeping into the sewer system which means that property owners will be paying for the treatment of sewage plus stormwater.
- Having the lateral lines being a factor in the selling of a property can tie up settlement for a long period of time. Under what PA State code is it lawful to make the inspection and replacement of lateral lines a condition of the sale of a property? How fair is this if a neighbor never sells their home and their lateral line is decaying and allowing stormwater to enter the system? Is it fair for those who sell to have the costs of replacing a lateral line while the neighbor never bears the cost of repairing their lateral line? Will this stop the sale of a property in its tracks?
- Many nonprofit and tax-exempt groups have multiple bathrooms, large kitchens, laundry rooms with large capacity washers, large assembly halls that are used for banquets and other events. Today, do nonprofit organizations pay a sewer usage fee, like the line items on resident tax bills?
- Who is to do the inspection of the roof drains and sewer laterals?
  - What could be the financial impact to an Owner where a drain line is damaged & needs to be replaced or repaired?
  - How can a home owner find out the linear feet of a lateral line?
  - What happens if a homeowner replaces their lateral line due to the sale of the property, but, the township has not repaired the section of the sewer system that that lateral connects to?
  - What if the new lateral line gets damaged if the sewer system is repaired; who will bear the cost of this?
  - Can property owners appeal the findings if there is a discrepancy in the condition of the lateral line and the roof drains?
- How much more will the Cheltenham Township Use & Occupancy fee increase to cover the additional capacity of the system and the treatment of the additional sewage?
- Today, do commercial properties pay a sewer fee and is it based on volume of use?
- The schools located in our Township have many bathrooms, sinks, showers, an Olympic swimming pool, kitchens, are they all hooked up to the township sanitary sewer system? Do they currently pay a sewer fee? What is the volume of flow they contribute to the existing sewer system?
- Will the school district share the cost burden (they use the system too) to repair and or replace the sanitary sewer system?
- The lateral line itself – cost varies -per linear foot. Will the township have a list of contractors who are reliable and who will give a cost break on the replacement of the lateral lines? Will the township ensure that the residents are paying for quality work?
- Will I be permitted to hire my own contractor to replace my lateral line if it does not pass the inspection?
- What method of arbitration will be set up if the township inspector determines my lateral line must be replaced and a different contractor comes to a different conclusion?
- Street repairs, curbing, landscaping, repairs to driveways etc. may be necessary to remove old lateral lines and install the new lines. How much will this cost the property owners and how much will this cost be to replace the sewer system that is the obligation of the township to oversee?
- If downspouts, within the historic district, need to be replaced or repaired how much time will be needed to get approval from the BHARs? Will there be added costs to comply with the appearance of downspouts on historic property?

- Why isn't there any mention of complying with PA Historical Commission when digging up the old sewers and repairing and replacing them within the historic district? (parts of Ralph Morgan Park are located within the historic district)
- Including the financing of ACT 537 Official Sewage Facilities Plan Update Volume I and II, February 2013, how much will the entire project cost when finished per household - as proposed by the Arro Group? How much will the cost be if shared by all (nonprofits, school district, commercial) who connect to the sanitary sewer system and will the cost be calculated based on usage?
- There is no mention in the proposed update to ACT 537 Plan to mandate the installation of low flow plumbing fixtures which would reduce the volume of waste in our sewer system. Why? The reduction of sewage might void the need for additional capacity.

Olga S. McHugh  
127 Hewett Road  
Wyncote, PA 19095