



Pennsylvania Department of Environmental Protection

One Ararat Boulevard
Harrisburg, PA 17110-9333

January 21, 1997

Southcentral Regional Office

717-657-4590
FAX - 717-657-4446

South Middleton Township Supervisors
c/o Barbara A. Wilson, Secretary
384 Park Drive
Boiling Springs, PA 17007

Re: Act 537 Planning
South Middleton Township, Cumberland County
DEP Code No. B1-21926-ACT

Ladies and Gentlemen:

The Department of Environmental Protection has reviewed the minor modification to your 1992 Act 537 Plan submitted December 6, 1996. The submission modifies previous land development procedures as they applied to Area A identified in the 1992 Plan.

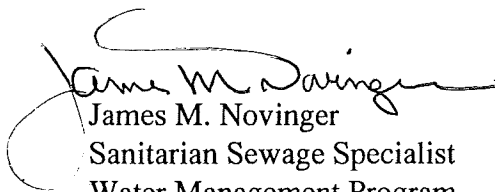
Your submission is acceptable and will be filed with your Act 537 Official Plan as a modification to that document.

It is now South Middleton Township's responsibility to implement the 537 Plan in accordance with the schedules contained within the Plan.

Any person aggrieved by this action may appeal, pursuant to Section 4 of the Environmental Hearing Board Act, 35 P.S. Section 7514, and the Administrative Agency Law, 2 Pa. C.S. Chapter 5A, to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, P.O. Box 8457, Harrisburg, PA 17105-8457, 717-787-3483. TDD users may contact the Board through the Pennsylvania Relay Service, 800-654-5984. Appeals must be filed with the Environmental Hearing Board within 30 days of receipt of written notice of this action unless the appropriate statute provides a different time period. Copies of the appeal form and the Board's rules of practice and procedure may be obtained from the Board. The appeal form and the Board's rules of practice and procedure are also available in Braille or on audiotape from the Secretary to the Board at 717-787-3483. This paragraph does not, in and of itself, create any right of appeal beyond that permitted by applicable statutes and decisional law.

If you have any questions concerning this letter, please contact me at the above telephone number.

Sincerely,


James M. Novinger
Sanitarian Sewage Specialist
Water Management Program



RESOLUTION #96-26

**A RESOLUTION TO ADOPT A
WRITTEN POLICY REVISION TO THE OFFICIAL
WASTE WATER FACILITIES PLAN OF
SOUTH MIDDLETON TOWNSHIP**

WHEREAS, the official Waste Water Facilities Plan, March, 1991 for South Middleton Township, Cumberland County, Pennsylvania was previously adopted via Resolution and revisions thereto were adopted in September 1991 and August 1992; and

WHEREAS, further revisions were adopted in September, 1992 in order to satisfy comments of the Department of Environmental Resources, now the Department of Environmental Protection; and

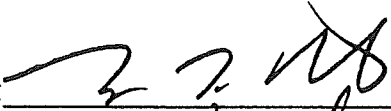
WHEREAS, the Board of Supervisors of the Township desires to adopt a written policy revision to the official Waste Water Facilities Plan as part of the official Waste Water Facilities Plan for the Township, in accordance with the provisions and requirements of the Pennsylvania Sewage Facilities Act and the Regulations of the Department.

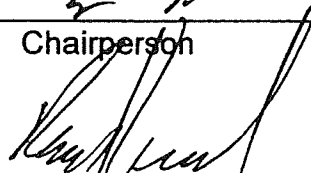
This Resolution shall become affective and be in force immediately, and upon adoption, the official Waste Water Facilities Plan, March 1991 for South Middleton Township, Cumberland County, Pennsylvania and all revisions thereto will become the official Waste Water Plan of the Township.

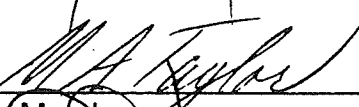
DULY ADOPTED this 26th day of November, 1996, by the Board of Supervisors of South Middleton, Township, Cumberland County, Pennsylvania, in lawful session duly assembled.

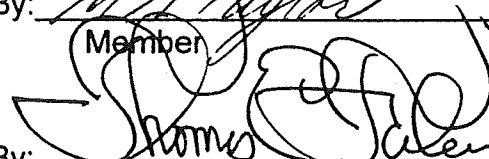
Barbara A. Nelson

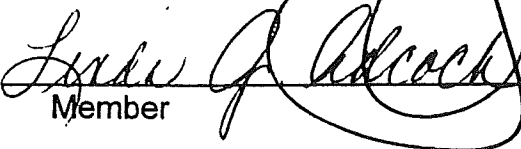
SOUTH MIDDLETON TOWNSHIP
BOARD OF SUPERVISORS

By: 
Chairperson

By: 
Vice-Chairperson

By: 
Member

By: 
Member

By: 
Member

**WRITTEN POLICY REVISION TO OFFICIAL WASTEWATER
FACILITIES PLAN, MARCH, 1991**

The present absolute moratorium for on lot sewage disposal facilities has worked a hardship upon owners of certain lots in existing, previously approved subdivisions within area A of the attached map. The existing Waste Water Facilities Plan was predicated upon projected development adjacent to this area which would have resulted in the construction of sewer service and collection and conveyance lines large enough to support all of area A. Further developments were anticipated to extend into area A enabling sewer extensions sufficient to serve the remaining western portion of the Township.

The failure of development expansion to reach into this portion of the Township has resulted in the inability of lot owners to build upon lots within existing subdivisions, previously approved, which inability may extend into the indefinite future. Such a severe consequence is not necessary for the protection of the public, particularly when the September 1992 revisions to the original plan contemplated a lifting of the ban in portions of area A once the Western Village Park had been sewerred.

The Township nevertheless continues to desire and intend that the bulk of area A should eventually be served by a sewer system. With this goal in mind, the Township hereby revises its plan to permit the interim use of on-lot disposal systems pursuant to septic designs approved by the Township sewer enforcement officer, within existing subdivisions which have been approved and filed in the Recorder of Deeds Office of Cumberland County. This permission is conditioned and conditional upon the agreement of each lot owner granted permission for interim use of an on-lot disposal system to:

- 1) deposit the sum of the current cost, the permit fee and tapping fee for each

- such lot upon which a residential dwelling is constructed; and
- 2) upon agreement of said existing lot owners to establish their principle building within 150 feet of the sewer system line to be constructed by South Middleton Township Municipal Authority; and
 - 3) be responsible for any future per lot costs; prior to commencement of the construction thereof, as a security assessment, to be applied toward the construction cost of servicing such lot by public sewer system, upon the future construction of a public sewer system adjacent to and servicing such lot.

Acceptance of such conditions will be established in an agreement that must be signed by the applicant and Township before approval is given, as well as a condition on the septic permit that said septic permit is null and void when public sewer becomes available.