

Hamiltonban Township Board of Supervisors
Well Ordinance Meeting
23 Carrolls Tract Road, Fairfield, PA 17320
October 18, 2005

Supervisors Present: Stephen W. Jacobs Chairman, William E. Eckert, Sr. Vice-chairman, James E. Benner, and Barbara A. Nicks
Road Master Jay Edward Deardorff arrived at 8:15 PM

Others Present: Solicitor Henry O. Heiser, III, Zoning Officer Milton Nicks, Planning Commission Secretary Pamela Wiehagen, and Secretary/Treasurer LuAnn M. Dille

Public Attendees: Bob Gordon, Dale Premo, Barbara Prophet, and Coleen Reamer

At 7:35 PM Chairman Jacobs called the meeting to order and those present recited the Pledge of Allegiance.

Solicitor Heiser began the meeting by offering some background for tonight's meeting. In August 2005 the Supervisors were given a copy of a well ordinance from a municipality near Philadelphia. Solicitor Heiser gave a copy of the Cumberland Township Well Ordinance to the Supervisors at the September 2005 Board Meeting. Zoning Officer Nicks drafted a Well Ordinance for Hamiltonban Township. This ordinance contains two parts. The first part contains technique information stating how to drill a well and install pumps. The second part contains an extensive eight page section on ground water availability study requirements.

Engineer Tim Cormany could not attend this meeting. On October 5, 2005 he wrote a response, which states he believes the ground water availability study belongs in the Subdivision and Land Development Ordinances (SALDO). In the current Hamiltonban Township SALDO Section 807 a ground water availability study is required. This ordinance has yet to be tested in the Township but will be in the future with the proposed large subdivisions. Solicitor Heiser stated the ground water availability study is extremely detailed and comprehensive. These types of requirements can cost thousands and thousands of dollars. A pumping test of not less than 72 hours duration is one of the requirements. Zoning Officer Nicks agreed with Solicitor Heiser 72 hour duration is a long time but this time period was included in several well ordinances that he read. When a large subdivision plan is submitted a ground water availability study is required by DEP, and the Township's SALDO. The Township would have a hydrologist review the study. Solicitor Heiser believes the ground water availability study belongs in the SALDO and this ground water availability study is very detailed, more than what is needed because industry standards must be met.

A well driller's ordinance is acceptable and reasonable for the Township declared Solicitor Heiser. Solicitor Heiser stated it is the Board's decision to direct him how to proceed. Chairman Jacobs stated there is a ground water availability study requirement in the SALDO and it would benefit the Township to adopt a well driller's ordinance. Supervisor Benner stated at the present time a property owner would build a house and then drill a well. This has been done. Supervisor Nicks confirmed this. Supervisor Benner stated this ordinance requires a well to be drilled before a building permit can be issued. Supervisor Nicks asked can the Township be held liable for a house built without water available. Solicitor Heiser stated the Township is not responsible for ground water availability. The Township will need to decide how to enforce the well driller's ordinance and would probably need to hire someone to inspect the wells to insure compliance with this ordinance.

Mrs. Reamer asked if a large housing development is built, how can the Township protect the residents a half mile or a mile away. Solicitor Heiser stated this is covered in the ground water availability study. He goes on to state this question is asked every time a large development is proposed.

Solicitor Heiser stated to regulate the installation of wells is a legislative responsibility and a function of the Board of Supervisors for the purpose of protecting the public health, safety and welfare of its residents. Most Townships have a well ordinance and an adequately drilled well is required for issuance of a building permit. Building permits have certain requirements including well and sewage permits. Solicitor Heiser left the meeting.

Zoning Officer Nicks proposed that Section 800 Groundwater Availability Study be removed from the Well Ordinance. Someone with expertise should review the remaining Well Ordinance to see if it is complete and yet not overkill, then give to the Planning Commission for review. Planning Commission may want to review Section 800 for possible addition to Section 807 of the SALDO for clarity of the Groundwater Availability Studies. The Board agreed with this and directed Zoning Officer Nicks to take Section 800 out of the Well Ordinance and send to Martin & Martin, Inc., and Solicitor Heiser for review.

When Road Master Deardorff arrived at the meeting Zoning Officer Nicks explained to him what had transpired previously in the meeting.

Supervisor Benner had a question concerning the definition of a well pit. A pit well was described as when the well cap is below ground level.

Charles Alexander told Zoning Officer Nicks he would be willing to train a well inspector for the Township.

Vice-chairman Eckert made a motion to remove Section 800 Ground Water Availability Study from the proposed Hamiltonban Township's Well Ordinance and proceed with the remaining portion of the ordinance, seconded by Supervisor Nicks. The Board unanimously approved this motion. This ordinance will be reviewed by Solicitor Heiser and Martin and Martin, Inc.

Mr. Premo stated the cost to a developer for a detailed ground water availability study, should not influence the Township. Chairman Jacobs agreed as well as the rest of the Board.

Digital Camera

Vice-chairman Eckert made a motion to approve Zoning Officer Nicks to purchase a quality digital camera for the Township for not more than \$500, seconded by Supervisor Benner. The Board unanimously approved this motion.

For clarity, a ground water availability study is a study of the available ground water for wells, and how this affects the surrounding wells or ground water availability. Water Impact study wording can be used to mean the same thing. This office will use ground water availability study.

Adjournment

At 8:29 PM Supervisor Benner made a motion to adjourn the meeting, seconded by Supervisor Nicks. The Board unanimously approved this motion.

LuAnn M. Dille
Secretary/Treasurer

Stephen W. Jacobs
Chairman