



May 1, 2025

VIA ELECTRONIC MAIL

Manor Township Supervisors
950 W. Fairway Dr.
Lancaster, PA 17603

Re: Approval Letter – Revision
Act 537 Planning
456 Walnut Hill Road Subdivision
DEP CODE NO. A3-36938-305-2
APS ID No. 1131713; AUTH ID No. 1517148
Manor Township, Lancaster County

Dear Manor Township Supervisors:

The Department of Environmental Protection (DEP) has reviewed the proposed Official Plan revision consisting of a subdivision. The proposed development is located at 456 Walnut Hill Road in Manor Township, Lancaster County.

The developer has proposed a residential lot with a detached 3-bedroom single-family dwelling. Sewage flows of 400 gallons per day will be served by an individual on-lot sewage system.

This plan revision is approved with the following comments:

1. Approval is conditioned on the creation of a sewage disposal groundwater recharge easement on proposed Lot 1, residue lands of Jeffrey P. & Kay L. Diehl, to address the minimum lot size requirement of 12.29-acres for proposed Lot 2. The groundwater recharge easement is shown on the Sketch Plan of Record for Diehl Property, sheet 3 of 10. The easement area is described in the Groundwater Easement Notes on sheet 1 of 10. The permit for installation of the on-lot sewage disposal system may only be issued if this condition is met, that is, the permit for Lot 2 may only be issued if the easement on Lot 1 is properly recorded with the subdivision, runs with the land and is included on any deeds issued for the dominant and servient tenements.
2. The proposal is adequate. The local agency's sewage enforcement officer (SEO) is authorized to issue permits in this proposed subdivision in accordance with the Pennsylvania Sewage Facilities Act, and 25 Pa. Code Chapters 71, 72 and 73.
3. Manor Township and the SEO should ensure that protective measures are taken to prevent and prohibit any disturbance to primary and replacement absorption areas that would render them unsuitable for their intended purpose.

4. The SEO must ensure if the size of the single-family home exceeds three (3) bedrooms at the time of permitting that the additional area needed for the primary and replacement absorption areas continue to meet the requirements in 25 Pa. Code § 71.62(b) relating to general site suitability and the requirements in 25 Pa. Code § 73.14(a) relating to site investigation for absorption areas. Additional site testing may be necessary to meet these requirements, including but not limited to soil probes and percolation tests. It is highly recommended that any additional site investigation testing be completed prior to building the house since the testing may reveal that the site does not support a house with more than three (3) bedrooms.
5. The SEO must ensure if the property owner proposes to substitute an alternate absorption area at the time of permitting that the site investigation completed meets the requirements in the On-lot Alternate Technology listing before the system is permitted. Additional site testing may be necessary to meet these requirements, including but not limited to soil probes and percolation tests.
6. Properly designed and installed on-lot sewage systems may ultimately fail without continuing operation and maintenance. Water conservation, site inspections, and regular septic tank pumping are all part of the operation and maintenance of your system.

Any person aggrieved by this action may appeal the action to the Environmental Hearing Board (Board), pursuant to Section 4 of the Environmental Hearing Board Act, 35 P.S. § 7514, and the Administrative Agency Law, 2 Pa.C.S. Chapter 5A. The Board's address is:

Environmental Hearing Board
Rachel Carson State Office Building, Second Floor
400 Market Street
P.O. Box 8457
Harrisburg, PA 17105-8457

TDD users may contact the Environmental Hearing Board through the Pennsylvania Relay Service, 800-654-5984.

Appeals must be filed with the Board within 30 days of receipt of notice of this action unless the appropriate statute provides a different time. This paragraph does not, in and of itself, create any right of appeal beyond that permitted by applicable statutes and decisional law.

A Notice of Appeal form and the Board's rules of practice and procedure may be obtained online at <https://ehb.pa.gov> or by contacting the Secretary to the Board at 717-787-3483. The Notice of Appeal form and the Board's rules are also available in braille and on audiotape from the Secretary to the Board.

IMPORTANT LEGAL RIGHTS ARE AT STAKE. YOU SHOULD SHOW THIS DOCUMENT TO A LAWYER AT ONCE. IF YOU CANNOT AFFORD A LAWYER, YOU MAY QUALIFY FOR FREE PRO BONO REPRESENTATION. CALL THE SECRETARY TO THE BOARD AT 717-787-3483 FOR MORE INFORMATION. YOU DO NOT NEED A LAWYER TO FILE A NOTICE OF APPEAL WITH THE BOARD.

IF YOU WANT TO CHALLENGE THIS ACTION, YOUR APPEAL MUST BE FILED WITH AND RECEIVED BY THE BOARD WITHIN 30 DAYS OF RECEIPT OF NOTICE OF THIS ACTION.

If you have any questions or concerns, please contact Cory Zimmerman at (717) 705-4793 or coryzimmer@pa.gov and refer to DEP Code No. A3-36938-305-2, Application No. 1131713, and Authorization No. 1517148.

Sincerely,

Maria D. Bebenek, P.E. (electronically signed 05/01/2025)

Maria D. Bebenek, P.E.
Program Manager

cc: Kay Diehl — PDF
Bitner Engineering, LLC (Attn: David Bitner) — PDF
Mark Deimler (SEO) — PDF
Lancaster County Planning Commission — PDF