

Storm Water Management Issues

Dated: February 21, 2020

1. Why is Dennison not following their Storm Water Management Ordinance? Examples of this include: a. the culvert on Fawn Ridge Road just off of the Tunnel Road (County Road 19) which collects storm water from the northern side of the road, then channels it under the road and allows to run on to a private property which is now causing environmental damage; b. private residences within the subdivision that do not appear to have their own storm water management plan or facilities.
2. Where is the Storm Water Management plan for the Ramblewood subdivision in Dennison Township?
3. Who is responsible for the design and construction of culvert under the Tunnel Road (County Road 19) which is located to the southeast of Fawn Ridge Road in the direction of White Haven? This was a relatively recent construction. (Estimated to be within the last 5 years.) This culvert collects storm water from the Railroad property, channels it under the road and aims the water on to private property. Whoever constructed the culvert, actually entered the private property to construct a channel that directed the water deeper into the property. This has added to the environmental damage to the property, and aided in structural damage on the property.
4. Who is responsible for the storm water management issues related to this culvert?
5. Why isn't the Reading Blue Mountain & Northern Railroad required to be in accord with the Storm Water Management ordinances of the Township and County? They are a major source of water into the culvert noted in item 3 above.
6. Is by increasing the amount of storm water into an area which results in killing the trees and changing an area from forest to swamp considered an environmental damage and not allowed under the ordinances?



Right-To-Know Response Form

February 28, 2020

Robert Bencal
181 Winding Lane
Cinnaminson, NJ 08077
(856) 786-9726
Via Email Only to: bobbencal81@comcast.net

RTK REQUEST #2020-030

Dear Mr. Bencal:

Thank you for writing to Luzerne County with your request for information pursuant to the Pennsylvania Right- To-Know law ("RTKL"). I have tried to reach you several times via email, but have not received a response.

Recently, the Luzerne County Office of Law received a request for documents from you described in the attached Right To Know request. Your request is denied because Luzerne County does not maintain these documents. §705 of the RTKL states that "when responding to a request for access, an agency shall not be required to create a record which does not currently exist or to compile, maintain, format or organize a record in a manner in which the agency does not currently compile, maintain, format or organize the record".

I have tried to assist you in directing your request to the appropriate party which would be the Township personnel where your property is located. However, Luzerne County does not have the documents you requested.

You have a right to appeal this denial of information in writing to Executive Director, Office of Open Records, Commonwealth Keystone Building, 400 North Street, 4th Floor, Harrisburg, PA 17120.

If you choose to file an appeal, you must do so within 15 business days of the mailing date of the agency's response. Section 1101. If you have further questions, please contact Laura C. Dennis. Please be advised that this correspondence will serve to close this record with our office as permitted by law.

Respectfully,

Laura C. Dennis, Esq.
Luzerne County
Open Records Officer
200 North River Street
Wilkes-Barre, PA 18711