

ARTICLE III

PLAN AND PERMIT REQUIREMENTS

SECTION 301 GENERAL REQUIREMENTS

1. It shall be unlawful to commence any Regulated Activity or Regulated Minor Activity prior to submission and unconditional Approval of a Stormwater Management Plan and issuance of a Stormwater Management Permit under this Ordinance.
2. Where individual on-lot Land Disturbance activities have been addressed, Approved, and noted as such in a previously Approved Stormwater Management plan related to a Project, subsequent applications for Building Permits for each individual Lot shall comply with said plan. In these cases, it shall not be necessary for the Developer to resubmit a Stormwater Management plan concurrent with applications for a Building Permit, provided the proposed grading of the Lot and location and sizes of houses, driveways, and Stormwater Management Facilities of any type are still adequate and applicable, and the assumptions of the original stormwater calculations are still valid as determined by the Township Engineer.
3. In all other cases of Regulated Activities, or in cases where a Developer as in the above wishes to alter grading, Building locations, or the on-Lot Stormwater Management system, the Developer shall submit a Stormwater Management Plan. This plan shall accompany the application for a Building Permit and shall demonstrate that all Land Disturbance activities related to the Building construction shall comply with the performance standards and any other applicable provisions of this Ordinance.
4. Persons who seek to conduct a Regulated Minor Activity shall submit an application for and obtain a Stormwater Management Permit in accordance with Section 306 of this Ordinance.

SECTION 302 EXEMPTIONS

1. The following activities are specifically exempt from the requirements of this Ordinance to submit and obtain Approval of a Stormwater Management Plan or a Stormwater Management Permit.
 - A. All Projects which fall under the exemption criteria in Appendix A. The exemption criteria in Appendix A shall apply to the entire Project even if Development is to take place in stages.

- B. Use of land for gardening and landscaping of the property; provided, however, that agricultural operations shall not be considered gardening or landscaping, and that said landscaping or gardening in no way affects and/or alters any Stormwater Management Facility.
- C. Township capital improvement projects.

SECTION 303 PLAN CONTENTS

- 1. The following items shall be included as part of the application for Approval of a Stormwater Management plan:
 - A. Plans which shall be either black and white or blue and white prints. The sheet sizes shall be no larger than thirty (30) inches by forty-two (42) inches, provided that the plan for recording (if required) is drawn to scale and is no larger than twenty-four (24) inches by thirty-six (36) inches and shall be consistent with the requirement of the Subdivision Ordinance. [Plans shall be legible in every detail.] The plans shall show the following information:
 - (1) Proposed name or identifying title of Project.
 - (2) Name and address of the Landowner and Developer of the Project Site.
 - (3) Plan date and date of the latest revision to the plan, north point, graphic scale and written scale. All plans shall be at a scale of twenty (20), thirty (30), forty (40) or fifty (50) feet to the inch.
 - (4) Total acreage of the Project Site and the tract of land on which the Project Site is located.
 - (5) The project location on a 7.5 minute USGS map, for the purpose of locating the Project Site to be developed, at a minimum scale of 2,000 feet to the inch, showing the relation of the tract to adjoining property and to all Streets and Township boundaries existing within 1,000 feet of any part of the tract of land on which the Project Site is proposed to be developed.
 - (6) Certificate for approval. See form of certificate in Appendix E.
 - B. All Stormwater Management plans shall include the following existing features:

- (1) Tract boundaries showing distances, bearings and curve data, as located by field survey or by deed plotting.
- (2) Existing contours at vertical intervals of two (2) feet for land with an average natural slope of four (4%) percent or more and at vertical intervals of one (1) foot for more flat land; in the event that contours are not required by the Subdivision Ordinance, no contours shall be required; however, the plan should indicate the natural drainage patterns of the site along with the approximate grades of all slopes. Where contours are shown, the location of the benchmark and the datum used shall also be indicated.
- (3) The names of all owners of all immediately adjacent properties, the names of all proposed or existing Projects immediately adjacent, and the locations and dimensions of any Streets or Easements shown thereon.
- (4) The names, locations and dimensions of all existing Streets, railroads, Watercourses, wetlands (both state and federal jurisdiction), drainage facilities, Floodplains, water wells, on-lot sewage disposal systems and other significant features within 200 feet of any part of the tract proposed to be developed and the location of all Buildings and approximate location of all tree masses within the tract.
- (5) Soil types, including depth, slope, texture, and structure, as designated by the Soil Survey.
- (6) Hydrologic Soil Group classifications and soil rated permeabilities in inches per hour where Stormwater Management Facilities are proposed.
- (7) Soil constraints including depth to bedrock and depth to seasonal high water table.
- (8) Geologic formations underlying the project Area and extending 50 feet beyond all property boundaries. Mined or suspected mine areas.
- (9) Aquifer characteristics of formations, highlighting special formations such as Carbonate Areas.
- (10) Soil Structures and engineering properties shall be provided for all proposed groundwater recharge systems, and detention basins which

- (a) Hold two (2) acre feet or more of water, or
- (b) Have an embankment that is six feet (6') or more in height.

The following requirements apply to all proposed groundwater recharge methods of storm water management:

- (a) Representative percolation tests must be made throughout the proposed area. At least one percolation test must be included in each soil group on the site. Testing, in general, should follow the same guidelines as for an on-lot septic system.
 - (b) Seepage pits, beds, or trenches shall not be permitted for any proposed development, without prior approval of the Township Engineer.
 - (c) Calculations considering percolation rate and volume of stone voids to establish seepage pit size.
 - (d) Design must follow Township standard detail for seepage pits.
- (11) Existing and Proposed easements and rights-of-way.

C. All Stormwater Management plans shall include the following proposed features:

- (1) The proposed land use, the number of Lots and dwelling units and the extent of commercial, industrial or other non-residential uses.
- (2) Calculations, assumptions, criteria, methodology, and references used in the design of storm water management facilities, the establishment of capacities, and the pre-development and post-development peak discharge. This information shall include data on all sub-watersheds.
- (3) The locations and dimensions of all proposed Streets, parks, playgrounds, and other public Areas, sewer and water facilities (including water wells and on-lot sewage disposal systems), underground utilities, Lot lines and Building locations, and parking compounds and other Impervious and Semi-pervious Surfaces.
- (4) The proposed changes to land surface and vegetative cover including Areas to be cut or filled.

- (5) For all basins, a plotting or tabulation of the storage volumes and discharge curves with corresponding water surface elevations, inflow hydrographs, and outflow hydrographs.
 - (6) Final contours at vertical intervals of 2 feet for land with an average natural slope of 4% or less and at vertical intervals of 5 feet for more steeply sloping land. Where existing contours are not shown, arrows sufficient to indicate general surface Runoff flow patterns within each Lot shall be shown.
 - (7) Finished elevations on tops of curbs at Lot lines projected and Lot corners. Elevations shall be shown to the nearest tenth of a foot.
 - (8) Minimum lowest floor elevations shall be provided for all Lots located within or along a 100-Year Floodplain.
 - (9) Details of design accurate in every way and consistent with plans and profiles.
- D. All Stormwater Management plans shall identify the following Stormwater Management Facilities:
- (1) All Storm Sewers along with any proposed connections to existing Stormwater Management Facilities.
 - (2) Groundwater Recharge methods such as Infiltration Pits, beds or trenches. When these Infiltration Structures are used, the locations of septic tank infiltration Areas and wells must be shown.
 - (3) Other control devices or methods such as roof-top storage, grass Swales, Parking Lot ponding, vegetated strips, and Detention or Retention Basins. Also include the installation of infiltration facilities, cisterns, Infiltration Pits, french drains, etc., to serve individual Buildings.
 - (4) Plans, profiles, details, and spot evaluations, and locations drawn to scale, of all proposed Stormwater Management Facilities and conveyance and Groundwater Recharge, including vertical and horizontal alignment, size and type of material. This information shall be of the quality required for the Construction of all facilities. All Swales and Open Channels shall have centerline invert elevations shown every 100 feet and at changes in Grade.
 - (5) When the Developer proposes to develop the Project in sections/phases, a generalized Stormwater Management plan for the entire Project Site shall be submitted in addition to the detailed

Stormwater Management plan for the proposed section/phase. This generalized plan shall demonstrate how the Stormwater of the proposed section/phase will relate to the entire Project. The amount and velocity at the discharge point of the section/phase shall be included in the data submitted. If temporary facilities are required for Construction of a section/phase, such facilities shall be included in the submitted plans.

- (6) A note on the plan indicating any Area that is not to be offered for dedication along with a statement that the Township is not responsible for maintenance of any Area not dedicated for public use, and that no alteration to Swales, or basins, or placement of Structures shall be permitted within Easements.
- (7) A certificate signed and sealed by an individual registered in the Commonwealth of Pennsylvania and qualified under all applicable local and State laws to perform such duties, indicating the compliance of the design of the Stormwater Management Facilities with the provisions of this Ordinance. See form of certificate in Appendix E.
- (8) In the event of a subdivision plan where the exact impervious surface is not known, provide a note on the plan indicating the assumed square footage of each of Impervious Surface and Semi-Pervious Surface coverage and percentage of each of Impervious Surface and Semi-Pervious Surface coverage for each Lot. Where assumed Impervious Surface or Semi-Pervious Surface coverage for each Lot is different a chart should be added to the plan set indicating assumed Impervious Surface and Semi-Pervious Surface coverage for each Lot.

E. Erosion and Sedimentation Controls.

- (1) The type, location and extent of all Erosion and sedimentation control measures shall be shown on an Erosion and sedimentation control plan that conforms to the requirements of Part IV of the DEP *Soil Erosion and Sedimentation Control Manual*, as a minimum and as approved by the York County Conservation District.
- (2) No Regulated Earth Disturbance activities within the Municipality shall commence until approval by the Municipality of an Erosion and Sediment Control Plan for construction activities.
- (3) The Pennsylvania Department of Environmental Protection (DEP) has regulations that require an Erosion and Sediment Control Plan

for any earth disturbance activity of 5,000 square feet or more, under 25 Pa. Code § 102.4(b).

- (4) In addition, under 25 Pa. Code Chapter 92, a DEP “NPDES Construction Activities” permit is required for any earth disturbance one acre or more with a point source discharge to surface waters or the Municipality’s storm sewer system, or five acres or more regardless of the planned runoff (hereinafter collectively referred to as “Regulated Earth Disturbance Activities”). This includes earth disturbance on any portion of, part of, or during any stage of, a larger common plan of development.
- (5) Evidence of any necessary permit(s) for Regulated Earth Disturbance activities from the appropriate DEP regional office or County Conservation District must be provided to the Municipality.
- (6) A copy of the Erosion and Sediment Control plan and any required permit, as required by DEP regulations, shall be available at the project site at all times.

F. Written Report, following the standard format for stormwater reports as maintained by the Township Engineer, including the following information:

- (1) An accurate project description, including the purpose and relationship to the objectives of this Ordinance and expected start and completion dates for the project, and a summary table following the standard format for summary tables as maintained by the Township Engineer.
- (2) An accurate description of Stormwater Management, both during and after construction, and Stormwater Runoff design considerations and calculations for both pre-Development and post-Development conditions, including stormwater management BMPs to be applied both during and after development. Include the method of calculations and the factors considered. This should indicate, as appropriate, measures for Groundwater Recharge and facilities for site restoration and long-term protection.
- (3) An Erosion and sedimentation control plan narrative that conforms to the requirements of Part IV of the DEP *Soil Erosion and Sedimentation Control Manual*.
- (4) A geologic assessment of the effects of runoff on sinkholes or mining areas, as specified in this ordinance.

- (5) The effect of the project (in terms of runoff volumes and peak flows) on adjacent properties and on any existing municipal stormwater collection system that may receive runoff from the project site.
- (6) A Declaration of Adequacy and Highway Occupancy Permit from the PENNDOT District Office when utilization of a PENNDOT storm drainage system is proposed.
- (7) Description of an ownership and maintenance program, in a form that can be incorporated into a stormwater easement agreement at the Recorder of Deeds for York County. This form shall clearly set forth the ownership and maintenance responsibilities for all temporary and permanent storm water management facilities which shall include the following:
 - (a) Description of the method and extent of the maintenance requirements. Operation and maintenance plans shall outline required routine maintenance actions and schedules necessary to insure proper operation of the facility (ies).
 - (b) Identification of an individual, corporation, association or other entity responsible for ownership and maintenance.
 - (c) When maintained by a private entity, a copy of the legally binding document which provides that the Township shall have the right to:
 - (i) Inspect the facility at any time
 - (ii) Require the private entity to take corrective measures and assign the private entity reasonable time periods for any necessary action.
 - (iii) Authorize maintenance to be done by the Township or an agent or contractor of the Township. If the owner fails to maintain the storm water control facilities following due notice by the Municipality to correct the problem(s), the Municipality may perform the necessary maintenance work or corrective work and the owner shall reimburse the Municipality for all costs. The Township shall have the right to lien the cost of the work against the properties of the private entity responsible for the maintenance.

- (d) Establishment of suitable easements for access to storm water management facilities, and to insure the facilities are protected from activities that would change their function.
- (e) When an assignment of responsibility is offered to the Township, it must include an acknowledgement of the Township's formal acceptance of the responsibility.

This document shall be recorded in the Office of the Recorder of Deeds for York County. In all cases, the document shall be recorded prior to issuance of a building permit.

- (8) The time schedule for Land Disturbance activities including cover removal, including all cuts and fills, installation of Erosion and sediment control facilities and practices; installation of improvements, including streets, storm sewers, underground utilities, sewer and water lines, Buildings, driveways, parking Areas, recreational facilities, landscaping, and other Structures; program of operations to convert Erosion and sedimentation controls to permanent Stormwater Management Facilities, including a chart of the relative time sequence of activities. The proposed storm water management facilities must be completed prior to the construction of additional impervious areas.
 - (9) Written report shall be bound in adequately sized three-ring binder labeled on the spine with relevant project information, and follow the standard report format and stormwater management summary as shown in Appendix H, unless otherwise approved by the Township Engineer.
- G. For any activities that require a PADEP Permit under Chapter 102 (Erosion and Sedimentation Control), Chapter 105 (Dam Safety and Waterway Management) or Chapter 106 (Floodplain Management) of PADEP regulations, require a PENNDOT Highway Occupancy Permit, or require any other permit under applicable state or federal regulations, the Permit(s) application(s) shall be part of the plan submittal.
 - H. Financial Security for the completion of Stormwater Management Facilities as set forth in Article V of this Ordinance.
 - I. At the determination of the Township Engineer, proof of liability insurance and other ameliorative measures as deemed necessary.
 - J. The written report and all calculations must be consistent with the information shown in plans and visa versa.

SECTION 304 PLAN PROCESSING PROCEDURES

1. The Developer shall submit 4 copies of the Stormwater Management plan application, including all supporting information required in Section 403, and the filing fee established by ordinance or resolution to the Township.
2. The Township shall act upon all applications for Stormwater Management plan approval within 90 days after the Developer submits the application or within such extension of time as the Developer may grant.
3. The Township shall submit all applications to the Township Engineer for review and recommendations. The Township Engineer shall submit a report to the Developer and the Township after reviewing the Stormwater Management plan and supporting documentation. For land development activities requiring a PADEP permit or other approval, the Township Engineer shall, if necessary, notify PADEP whether the plan is consistent with this Ordinance. PADEP may consider the Township Engineer's review comments in determining whether to issue a permit.
4. Where revisions to the Stormwater Management (SWM) site plan are necessary in order to meet the performance standards set forth in Article III, the Developer shall discuss the contents of the report with the Township Engineer. The Developer shall submit a revised Stormwater Management plan and supporting information to the Township. For NPDES permitted sites, any revised SWM site plan shall also be resubmitted to the York County Conservation District for review.
5. The Township Engineer shall review the revisions and issue a supplementary report to the Developer and the Township.
6. If the Township Engineer determines that the Stormwater Management plan still fails to satisfy all requirements of this Ordinance, he shall so indicate in his supplementary report and shall specify those items not in compliance with this Ordinance.
7. The Township Engineer shall issue Stormwater permits that are not associated with a Land Development Plan. Otherwise Board of Supervisor's approval of a Land Development shall constitute issuance of a Stormwater Permit.
8. The Board of Supervisors shall take formal action to approve or disapprove the Stormwater Management plan. The Township shall communicate the action of the Board of Supervisors on the Stormwater Management plan application to the Developer either personally or by mail at the Developer's last known address.

9. The applicant shall be responsible for completing an “As-Built Survey” of all stormwater facilities included on the approved plan. The As-Built Survey, and an explanation of any discrepancies with the plan, shall be submitted to the Township Engineer for final approval. Any discrepancies on the plan that affect discharge rates or capacities, shall be quantified by the developer.
10. The Township’s approval of a permit associated with a Land Development shall be valid for a period of 5 years. This 5-year time period shall commence on the date that the Township signs the approved plan. If stormwater facilities included in the approved plan have not been constructed, or if an As-Built Survey of these facilities has not been approved within the 5-year time period, then the Township may consider the plan disapproved and may revoke any and all Township permits and approvals. Plans that are considered disapproved by the Township shall be resubmitted in accordance with Section 403 of this Ordinance. Stormwater permits issued independently from a Land Development Plan shall expire as determined by the Township.

SECTION 305 EFFECT OF STORMWATER MANAGEMENT PLAN APPROVAL

1. Township Approval of a Stormwater Management plan shall not be construed as an indication that the Stormwater Management plan complies with the standards of any agency of the Commonwealth.
2. Where individual on-Lot Land Disturbance Activities have been addressed, Approved, and noted as such in a Stormwater Management plan related to a Subdivision or Land Development, Building Permit applications for each individual Lot shall comply with said plan. In these cases, it shall not be necessary for the Developer to resubmit a Stormwater Management plan concurrent with applications for a Building permit, provided the proposed grading of the Lot and the locations and sizes of structures, driveways, and Stormwater Management Facilities of any type are still adequate and applicable and the assumptions of the original stormwater calculations are still valid.

SECTION 306 REGULATED MINOR ACTIVITIES AND APPLICATIONS FOR STORMWATER MANAGEMENT PERMITS.

Any person desiring to commence a Regulated Minor Activity shall submit the following to the Township for the review and Approval. If the Township determines that the work proposed constitutes a Regulated Minor Activity and complies with all applicable provisions of this Ordinance, the Township may issue a Stormwater Management permit.

1. Name, address, and phone number of the Developer and, if different, of the property owner.

2. A written description of the following:
 - A. The proposed Project, including Impervious Surfaces and Semi-Pervious Surfaces.
 - B. Any existing Stormwater Management problems on the Project Site.
 - C. Location of the Project.
3. A plan including the following information:
 - A. Sketch of the Project Site, including existing and proposed Impervious Surfaces and Semi-Pervious Surfaces.
 - B. Location of property boundaries.
 - C. Existing and proposed land use.
 - D. Zoning district and required setbacks.
 - E. Approximate location of existing and proposed utilities, sanitary sewers, and water lines within approximately 50 feet of property lines.
 - F. Approximate location of existing and proposed easements.
 - G. Location of existing watercourses on the Project Site.
 - H. Location of all existing and proposed Stormwater Management Facilities on the Project Site.
 - I. Location of existing and proposed roof downspouts.
 - J. Location of existing Stormwater Management Facilities on adjoining properties that have the potential to affect Stormwater flow on the Project Site.
 - K. Arrows indicating direction of existing and proposed Stormwater flow across the Project Site.
4. The following information shall be provided for Infiltration Structures:
 - A. Length, width, and depth of Infiltration Structure.
 - B. Flow arrows indicating how Stormwater is directed to the Infiltration Structure.

- C. Sketch of Infiltration Structure, including any pipes or inlets.
 - D. Required and proposed storage volume of Infiltration Structure.
 - E. Infiltration Structures shall be constructed in accordance with the details shown in Appendix F.
 - F. Results of a percolation test taken in the area of the proposed Infiltration Structure.
 - G. Verification of a minimum of 4 feet of soil between the bottom of the proposed Infiltration Structure and bedrock.
 - H. Verification of a minimum of 4 feet of soil between the bottom of the proposed Infiltration Structure and the seasonal high water table.
5. The following should be provided for above-ground retention facilities:
- A. Length, width, and depth of facility.
 - B. Flow arrows indicating how Stormwater is directed to facility.
 - C. Required and proposed storage volume of facility.
 - D. Results of a percolation test taken in the area of the proposed facility.
 - E. Verification of a minimum of four (4) feet of soil between the bottom of the proposed facility and bedrock.
 - F. Runoff shall be stored to a depth of no more than 1 foot.
 - G. Berms shall be constructed with a minimum base of five (5) feet and a top width of one (1) foot.
6. The required storage volume for Infiltration Structures shall be calculated using Standard 1 (Simplified Method CG-2 in the BMP Manual) noted in section 401
- The Area contributing to the Infiltration Structure facility shall be limited to proposed Impervious Surface only.
7. Highway Occupancy Permit (if required).
8. Erosion and sedimentation plan and Approval letter from the Conservation District, when requested by the Township.

SECTION 307 REVIEW AND INSPECTION FEES.

1. The Developer shall reimburse the Township for all legal and engineering fees incurred in the review of the Stormwater Management plan or Stormwater Management permit application and supporting documents, review of agreements for maintenance of Stormwater Management Facilities, review of Easement agreements, and inspection of Stormwater Management Facilities. The Developer shall deposit the estimated review and inspection fees with the Township at the time of application.

2. In the event that Developer disputes the amount of such review fees, the Developer shall, within ten (10) days of the filing date, notify the Township that such fees are disputed, in which case the Township shall not delay or disapprove a Stormwater Management Plan or Stormwater Management permit application due to the Developer's request over disputed fees.

3. In the event the Township and the Developer cannot agree on the amount of review and/or inspection fees which are reasonable and necessary, then the Developer and the Township shall follow the procedure for dispute resolution set forth in MPC.

SECTION 308 PROHIBITED DISCHARGES

1. No person in the Municipality shall allow, or cause to allow, stormwater discharges into the Municipality's separate storm sewer system which are not composed entirely of stormwater, except (1) as provided in subsection 2 below, and (2) discharges allowed under a state or federal permit.

2. Discharges which may be allowed, based on a finding by the Municipality that the discharge(s) do not significantly contribute to pollution to surface waters of the Commonwealth, are:

- Discharges from fire fighting activities
- Potable water sources including dechlorinated water line and fire hydrant flushings
- Irrigation drainage
- Routine external building washdown (which does not use detergents or other compounds)
- Air conditioning condensate
- Water from individual residential car washing
- Springs
- Water from crawl space pumps
- Uncontaminated water from foundation or from footing drains

Flows from riparian habitats and wetlands

Lawn watering

Pavement washwaters where spills or leaks of toxic or hazardous materials have not occurred (unless all spill material has been removed) and where detergents are not used

Dechlorinated swimming pool discharges

Uncontaminated groundwater

3. In the event that the Municipality determines that any of the discharges identified in Subsection 2 significantly contribute to pollution of waters of the Commonwealth, or is so notified by DEP, the Municipality will notify the responsible person to cease the discharge.
4. Upon notice provided by the Municipality under subsection C, the discharger will have a reasonable time, as determined by the Municipality, to cease the discharge consistent with the degree of pollution caused by the discharge.
5. Nothing in this Section shall affect a discharger's responsibilities under state law.
6. Any drain or conveyance, whether on the surface or subsurface, which allows any non-storm water discharge including sewage, process wastewater, and wash water, to enter the separate storm sewer system, and any connections to the storm drain system from indoor drains and sinks is prohibited except as provide in Section 308.2 above.
7. Any drain or conveyance connected from a commercial or industrial land use to the separate storm sewer system which has not been documented in plans, maps, or equivalent records, and approved by the Municipality is prohibited except as provide in Section 308.2 above.