

construction. To the extent that the designed and implemented facilities exceed the required stormwater management (in excess of that needed for the proposed impervious coverage), the property owner (as part of the property owner's application) shall be given credit in the future against any additional coverage that the property owner may apply.

ARTICLE V - PLAN PROCESSING PROCEDURES

Section 501. Exemption from Plan Submission Requirements

- A. The following regulated activities are specifically exempt from the SWM Site Plan preparation and submission requirements articulated in Section 301.A and Articles IV and V of this Ordinance:
1. Agricultural activity (see definitions) provided the activities are performed according to the requirements of 25 Pa. Code Chapter 102.
 2. Forest management and timber operations (see definitions) provided the activities are performed according to the requirements of 25 Pa. Code Chapter 102.
 3. Conservation Practices being installed as part of the implementation of a Conservation Plan written by an NRCS certified planner.
 4. The installation of 1,000 or fewer square feet of Impervious Surface coverage proposed after the effective date of the Ordinance; provided that the activities meet the criteria of Section 501.C below and are conducted in accordance with all requirements of this Ordinance.
 5. Domestic landscape and/or vegetable gardening.
- B. The Township may deny or revoke any exemption pursuant to this Section at any time for any project that the Township believes may pose a threat to public health, safety, property or the environment.
- C. An Applicant proposing the cumulative installation of 1,000 square feet or less of Impervious Surface coverage may be exempt from the design, plan submittal, and processing requirements of Articles IV, and V of this Ordinance if the proposal meets the criteria in this Section. No person or activity is exempted from compliance with Section 605 and Articles VII, VIII, and IX of this Ordinance. Exemptions do not relieve the applicant of the responsibility to secure required permits or approvals for activities regulated by any other code law regulation or ordinance. Exemption shall not relieve an applicant from implementing such measures as necessary to meet compliance with any NPDES Permit requirements.

1. Any Applicant desiring exemption from design, plan submission, and plan processing requirements shall complete an application for exemption in the form set forth in Appendix D and pay any applicable filing fee.
2. The Applicant for exemption under this Section 501.C shall provide the Township with all information necessary for the Township to determine that:
 - a. There shall be no disturbance of land within Floodplains, Wetlands, Environmentally Sensitive Areas, Riparian Forest Buffers, or slopes greater than 15%.
 - b. No Impervious Surface coverage shall be installed and no Earth Disturbance Activity shall be conducted within any existing drainage or Stormwater easement created by or shown on any recorded plan.
 - c. The Applicant shall minimize soil disturbance, take steps to minimize Erosion and Sedimentation during construction activity, and promptly reclaim all disturbed areas with topsoil and vegetation.
 - d. The Applicant shall take steps that Runoff be directed to Pervious Areas on the subject property. No Runoff shall be directed onto an abutting street or neighboring property.
 - e. The proposed Impervious Surface shall not adversely impact any existing known problem areas or downstream property owners or the quality of Runoff entering any municipal separate Storm Sewer system.
 - f. The applicant shall comply with the erosion and sediment control requirements of 25 Pa Code, Chapter 102 and the proposed Impervious Surface shall not create accelerated Erosion and/or Sedimentation.
3. If the proposed activity does not meet all of the criteria set forth in Section 501.C.2. above, the Applicant shall follow the Small Project processing procedure in Section 501.
4. If the proposed activity is located in a High Quality (HQ) or Exceptional Value (EV) watershed, the applicant shall be responsible for compliance with all federal and state requirements. This exemption does not provide relief from any other applicable state or federal requirements.
5. No Applicant and no activity shall violate or cause to be violated: the Federal Clean Water Act, Clean Streams Law, or any regulation issued thereunder, an NPDES permit, any recorded Stormwater Management or Operations and Maintenance Agreement, or any requirement applicable to a Municipal Separate Storm Sewer System.

Section 502. Small Projects

- A. Anyone proposing a Small Project shall submit three (3) copies of the Small Project Application to the Township's Designee.
- B. A complete Small Project Application shall include:
1. Small Project Application Form (Appendix A)
 2. Small Project Sketch Plan including the following:
 - a. Name and address of landowner (and/or) developer
 - b. Date of Small Project Application submission.
 - c. Name of individual and/or firm that prepared the sketch if different than the landowner and/or developer
 - d. Location and square footage of proposed impervious area or land disturbance
 - e. Approximate footprint and location of all structures on adjacent properties if located within 50 feet of the proposed impervious area or land disturbance
 - f. Approximate location of existing stormwater management facilities if present
 - g. Location and description of proposed stormwater management facilities
 - h. Direction of proposed stormwater discharge (e.g. with arrows)
 - i. Scale and north arrow
 3. Filing fee (in accordance with the Township's current fee schedule).
 4. A copy of the property owners deed as recorded in Lancaster County, together with a copy of the operation and maintenance agreement described in Section 602 hereof.
 5. Stormwater Management Volume Calculations in accordance with Section 302.B hereof. (Applicants shall use the Simplified Approach for Small Projects Handbook provided by the Township.)
- C. The Small Project Application shall be submitted in a format that is clear, concise, legible, neat and well organized. Applicants shall use the Simplified Approach for Small Projects Handbook provided by the Township.

Section 503. Pre-Application Meeting

Applicants are encouraged to schedule a pre-application meeting to review the overall stormwater management concept with Municipal staff/engineer. The pre-application meeting is not mandatory and shall not constitute formal filing of a plan with the Township. Topics discussed may include the following;

- Available geological maps, plans and other available data.
- Findings of the site analysis including identification of any environmentally sensitive areas, wellhead protection areas, riparian corridors, hydrologic soil groups, existing natural drainage ways, karst features, areas conducive to infiltration to be utilized for volume control, etc.
- Results of infiltration tests.
- Applicable Municipal other Ordinances, Resolutions and Regulations.
- The conceptual project layout, including proposed structural and non-structural BMPs.

Section 504. Stormwater Management Site Plan Submission

- A. When a Stormwater Management Site Plan is required, the applicant shall submit the following to the Township:
1. Five (5) copies to the SWM Site Plan prepared in accordance with the requirements of Article IV of this Ordinance.
 2. Two (2) copies of all supplemental data.
 3. One electronic copy of all submitted plans, calculations and miscellaneous information in PDF format.
 4. A filing fee (in accordance with the Township's current fee schedule).
 5. A copy of the property owner's deed as recorded in the Lancaster County Recorder of Deeds office.
- B. The SWM Site Plan shall be submitted in a format that is clear, concise, legible, neat and well organized.
- C. The applicant is responsible for submitting plans to any other agencies such as the Lancaster County Conservation District, PennDOT, DEP, etc. when permits from these agencies are required. Final approval shall be conditioned upon the applicant obtaining all necessary permits.
- D. Incomplete submissions as determined by the governing body or its designee, shall be returned to the Applicant within 7 days, along with a statement that the submission is

incomplete, and stating the deficiencies found. Otherwise, the application shall be deemed accepted for filing as of the date of submission. Acceptance of the application shall not, however, constitute an approval of the plan or a waiver of any deficiencies or irregularities. The applicant may appeal the Township's decision not to accept a particular application in accordance with Section 805 of this Ordinance.

- E. At its sole discretion and in accordance with this Article, when a SWM Site Plan is found to be deficient, Drumore Township may either disapprove the submission and require a resubmission, or in the case of minor deficiencies, Drumore Township may accept submission of revisions.

Section 505. Municipal Review

- A. When the regulated activity constitutes a Subdivision or Land Development as defined in the applicable Subdivision and Land Development Ordinance, the SWM Site Plan and Subdivision/Land Development Plan shall be processed concurrently according to the plan processing procedure outlined in applicable Subdivision and Land Development Ordinance.
- B. When the regulated activity constitutes a Small Project the Township shall review and take action on the Small Project Application within fourteen (14) days of filing.
- C. When the regulated activity does not constitute a Subdivision or Land Development or Small Project the Municipal Engineer shall review the SWM Site Plan for conformance with the provisions of this ordinance.
- D. Following receipt of the Municipal Engineer's report and within ninety (90) days following the date of the first regular meeting of the Governing Body after the date the application is filed, the Governing Body will schedule the SWM Site Plan application for action at a regularly scheduled Public Meeting.
- E. Within fifteen (15) days of the meeting at which the SWM Site Plan application is acted upon by the Governing Body, written notice of the Governing Body's action shall be sent to the following individuals:
 - 1. Landowner or his agent
 - 2. Applicant
 - 3. Firm that prepared the Plan
 - 4. Lancaster County Planning Commission
 - 5. Lancaster County Conservation District
- F. If the Township disapproves the SWM Site Plan, the Township will state the reasons for the disapproval in writing. The Township also may approve the SWM Site Plan with conditions and, if so, shall provide the acceptable conditions for approval in writing.

Such conditional approval shall be contingent upon the applicant's written acceptance of the conditions.

Section 506. Revision of Plans

- A. Revisions to a SWM Site Plan after submission but before municipal action shall require a re-submission of the modified SWM Site Plan consistent with Section 504 of this Ordinance and be subject to review as specified in Section 505 of this Ordinance.
- B. For the purposes of review deadlines, each resubmission required under Section 506.A (after submission but before approval) shall constitute a new submission for the purposes of time limits as set forth in the MPC and this ordinance.
- C. Any substantial revisions to a SWM Site Plan after approval shall be submitted as a new plan to the Township, accompanied by the applicable Review Fee.

Section 507. Authorization to Construct and Term of Validity

Approval of a SWM Site Plan shall be valid for a period not to exceed two (2) years. This time period shall commence on the date that the Township approves the SWM Site Plan. Prior to commencing earthmoving activities the applicant shall obtain a Stormwater Management Permit from the Township. A Stormwater Management Permit shall be valid for a period of one (1) year. If a Certificate of Completion as required by Section 508 of this Ordinance has not been submitted within the specified time period, then the Township may consider the SWM Site Plan disapproved and may revoke any and all permits issued by the Township. SWM Site Plans that are considered disapproved by the Township may be resubmitted in accordance with Section 504 of this Ordinance.

Section 508. Certificate of Completion

- A. At the completion of the project, and as prerequisite for the release of the Financial Security, the applicant shall provide Certification of Completion from an Engineer, Landscape Architect, Surveyor or other qualified person verifying that all permanent SWM facilities have been constructed according to the Plans and specifications and approved revisions thereto.
- B. Upon receipt of the Certificate of Completion, and prior to release of the remaining Financial Security the Township shall conduct a final inspection to certify compliance with this Ordinance.

Section 509. As-Built Plan Recordation

- A. Upon completion of the plan improvements the applicant shall submit an As-Built Plan for review and approval by the Municipal Engineer. Upon approval by the Municipal Engineer, the plan shall be recorded in the Office of the Recorder of Deeds. Plans processed in accordance with Section 502 - Small Projects shall be exempt from the provisions of this section.
- B. The As-Built Plan must show the final design specifications for all stormwater management facilities and be sealed by a registered professional engineer. When a digital submission of an As-Built Plan is required, all coordinates as depicted on the plan shall be based on the PA South Zone State Plane Coordinate System (NAD83 for horizontal and NAVD88 for vertical).
- C. Concurrently with the recordation of the As-Built Plan, the applicant shall submit the SWM Site Plan for recordation in the Office of the Recorder of Deeds, unless the Site Plan has already been recorded.

ARTICLE VI - OPERATION AND MAINTENANCE (O&M)

Section 601. Responsibilities of Developers and Landowners

- A. The Landowner, successor and assigns shall maintain all Stormwater Management Facilities in good working order in accordance with the approved O & M Plan.
- B. The Landowner shall convey to the Township easements to assure access for inspections and maintenance, if required.
- C. The Landowner shall keep on file with the Township the name, address and telephone number of the person or company responsible for maintenance activities; in the event of a change, new information will be submitted to the Township within ten (10) days of the change.
- D. Enumerate permanent SWM facilities as permanent real estate appurtenances and record as deed restrictions or easements that run with the land.
- E. The record owner of the Development Site shall sign and record an Operation and Maintenance (O&M) Agreement covering all Stormwater Management Facilities, including riparian buffers and riparian forest buffers, which are to be privately owned. Said agreement, designated as Appendix C, is attached and made part hereto. The O&M Plan and Agreement shall be recorded as a restrictive covenant agreement that runs with the land.