

**JEFFERSON TOWNSHIP
DAUPHIN COUNTY, PENNSYLVANIA**

ORDINANCE NO.: J-128

AMENDMENT TO STORMWATER ORDINANCE No. J-124

Ordinance No. J-124 is hereby amended to replace Section 302.D-.I with the following: and the addition of Section 302.J.

Section 302 EXEMPTION/MODIFICATION

D. An Applicant proposing Regulated Activities, after demonstrating compliance with Sections 302.A and 302.B may be exempted from the requirements of this Ordinance according to Table 1 below and the following conditions. If the applicant requests an exemption and meets all of the conditions below, the requirements of Section 302.C are assumed to be met.

1. MINIMUM SEPARATION

- a. New impervious cover must be separated from the features listed in 302.D.1.b below by the minimum separation distances listed in Table 1.
- b. Minimum separation distance is the shortest distance from the edge of the proposed new impervious cover, or roof drain discharge point, in the flow direction of runoff, to any of the following:
 - i. Perennial or intermittent streams or watercourses
 - ii. Swales or ditches
 - iii. Wetlands
 - iv. Lakes, ponds and other surface water bodies
 - v. Storm sewer or combined sewer systems
 - vi. Public roads
 - vii. Property lines
 - viii. Cropland, pasture land, manure storage areas and other agricultural land unless the area meets the requirements of 3.02.D.4.b below.
 - ix. Other features deemed relevant by the Municipal Governing Body

2. MULTIPLE IMPERVIOUS AREAS

- a. If the proposed new impervious area receives runoff from an existing contiguous impervious area or contributes runoff to an existing contiguous impervious area, the total impervious area to be considered for this exemption shall be the new impervious area only.
- b. If the existing and proposed new impervious are not contiguous, the total impervious area to be considered for this exemption shall be the new impervious area only. In this case, the total separation area may include the distance between the two impervious areas.
- c. Separation from the features listed in Section 3.02.D.1.b shall be determined from the edge, or roof drain discharge, of either the existing or proposed new impervious area, whichever is most downslope.
- d. The municipality reserves the right to consider existing conditions and runoff issues in determining the needed separation area under this section.

TABLE 1 – MINIMUM SEPARATION DISTANCES

New Impervious Area in Square Feet	Minimum Separation Distance	
	NO ROOF DRAIN	ROOF DRAIN
0-250	25	40
251-500	50	75
501-1,000	75	110
1,001-1,500	100	150
1,501-2,000	125	190
2,001-2,500	150	225
2,501-3,000	175	260
3,001-4,000	200	300
4,001-5,000	225	340
5,001 to 10,000	350	525

Where Jefferson Township believes that conditions present in the receiving area (slope, soil type, existing problems, etc.) warrant additional separation distance, Jefferson Township may request additional separation distance or require Stormwater management controls.

3. DISCHARGE

- a. With the exception of roof drains, runoff from the proposed new impervious cover may not be concentrated. Roof drains:
 - i. Must discharge to a stabilized separation area meeting the criteria in Table 1 and Section 3.02.D.4.

- ii. May not discharge to concentrated flow areas.
- b. Separation shall be determined from the roof drain discharge point, unless the discharge is to an impervious area. In this case the separation shall be determined from the edge of the impervious area.

4. SEPARATION AREA

- a. The area separating the proposed new impervious discharge from any features such as those listed in Section 302.D.1.b must at all times meet the following criteria:
 - i. Be maintained in stable vegetative cover.
 - ii. Eroded areas in the separation area must be immediately repaired.
 - iii. No new impervious cover may be installed in the separation areas unless the requirements of this ordinance are met.
 - iv. Runoff in the separation area must be maintained as unconcentrated flow.
- b. The separation area may contain cropland, pasture land, manure storage areas and other agricultural land provided the land is in compliance with Title 25 Chapter 102.4.a (relating to erosion and sediment pollution control on agricultural land) and Title 25 Chapter 91.36.a (relating to pollution control at agricultural operations) of The Pennsylvania Code.

5. An applicant for an exemption that cannot meet the criteria above may qualify for reduced requirements based on the following:

- a. The applicant must demonstrate compliance with Sections 302.A, 302.B and 302.C above.
- b. Reduced requirements will be according to the following Table 2:

TABLE 2 – REDUCED STORMWATER MANAGEMENT REQUIREMENTS

New Impervious Area*In Square Feet Since the Date of Adoption of this Ordinance	Applicant Must Submit to the Municipality
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0 – 1,000	
1,000 – 5,000	Volume Controls and SWM Site Plan & Report **
> 5,000	Rate Controls, Volume Controls, SWM Site Plan & Report and Record Drawings

*Gravel in the existing condition shall be considered pervious and proposed gravel shall be considered impervious.

**For minor projects up to 2,500 sq. ft. of new impervious and less than 5,000 sq. ft. of disturbed area(s), the Small Project Manual, Appendix E, may be used for storm water management site plan and report.

6. REQUIREMENT FOR ADDITIONAL STORMWATER MANAGEMENT CONTROLS

- a. Jefferson Township reserves the right to require additional stormwater management controls if an exempted project is determined to be causing adverse impacts of any kind.

7. OBLIGATION TO MEET OTHER REQUIREMENTS

- a. Nothing in this section shall relieve the applicant of any responsibility under other regulations such as, but not limited to, municipal ordinances or codes and state and federal regulations related to stormwater management, NPDES permitting requirements for erosion and sediment pollution control and Post Construction Stormwater Management, stream and wetland encroachment or floodplain management.

E. The purpose of this section is to ensure consistency of stormwater management planning between local ordinances and NPDES permitting (when required) and to ensure that the Applicant has a single and clear set of stormwater management standards to which the Applicant is subject. Jefferson Township may accept alternative stormwater management controls provided that:

- 1. The Applicant, in consultation with Jefferson Township, PADEP and/or DCCD, states that meeting the requirements of the Volume Controls or Rate Controls of this Ordinance is not possible or creates an undue hardship.
- 2. The alternative stormwater management controls, proposed by the Applicant, are documented to be acceptable to the Municipality, PADEP and/or DCCD for NPDES requirements pertaining to post construction stormwater management requirements.

3. The alternative stormwater management controls are in compliance with all other sections of this Ordinance including, but not limited to, Sections 301.D, 302.A, 302.B and 302.C.
- F. Forest management and timber operations are exempt from Rate and Volume Control requirements and SWM Site Plan preparation requirement of this Ordinance provided the activities are performed according to the requirements of 25 PA Code Chapter 102. It should be noted that temporary roadways are not exempt.
 - G. Agricultural activities are exempt from the requirements of this Ordinance provided the activities are performed according to the requirements of 25 PA Code Chapter 102.
 - H. Linear roadway improvement projects that create additional impervious area are not exempt from the requirements of this Ordinance. However, alternative stormwater management strategies may be applied at the joint approval of the Municipality and the Dauphin County Conservation District (if an NPDES permit is required) when site limitations (such as limited right-of-way) and constraints (as shown and provided by the Applicant), preclude the ability of the Applicant to meet the enforcement of the stormwater management standards in this Ordinance. All strategies must be consistent with PADEP's regulations, including NPDES requirements.
 - I. Jefferson Township may, after an Applicant has demonstrated compliance with Sections 302.A, 302.B, and 302.C, grant a modification of the requirements of one or more provisions of this Ordinance if the literal enforcement will exact undue hardship because of peculiar conditions pertaining to the land in question, provided that such modification will not be contrary to the public interest and that the purpose and intent of the Ordinance is observed.

All requests for a modification shall be in writing and shall state in full the grounds and facts of unreasonableness or hardship on which the request is based, the provision or provisions of the Ordinance involved, and the minimum modification necessary.

J. MUNICIPAL DECISION

All requests for exemptions or modifications shall be at the discretion of Jefferson Township. Demonstration that a proposed project meets exemption or modification requirements does not necessarily obligate Jefferson Township to grant the request for exemption or modification.

Jefferson Township may consider any and all relevant factors such as, but not limited to, runoff concentration, slope, soil characteristics, existing problems, adjacent properties, sensitive environmental features and recommendations from other municipal entities such as planning commissions, municipal engineers and solicitors in determining whether or not to grant any request for exemption or modification.

Ordinance No. 2010-3 is further amended by revising Section 303.B.2, Adding /Section 303.2A, and Revising Section 303.C as follows:

Section 303. Volume Controls

- B. Stormwater runoff Volume Controls shall be implemented using the Design Storm Method or the Simplified Method. For Regulated Activities equal to or less than one (1) acre, this Ordinance establishes no preference for either method; therefore, the Applicant may select either method on the basis of economic considerations, the intrinsic limitations on the applicability of the analytical procedures associated with each methodology, and other factors.
2. The *Simplified Method* (CG-2 in the BMP Manual) is independent of site conditions and should be used if the Design Storm Method is not followed. This method is not applicable to Regulated Activities greater than one (1) acre of disturbance. For new impervious surfaces:
- a. Stormwater facilities shall capture at least the first two (2) inches of runoff from all new impervious surfaces.
 - b. At least the first one (1) inch of runoff from new impervious surfaces shall be permanently removed from the runoff flow, i.e. it shall not be released into surface Waters of the Commonwealth. Removal options include reuse, evaporation, transportation, and infiltration.
 - c. Wherever possible, infiltration facilities should be designed to accommodate infiltration of the entire permanently removed runoff; however, in all cases at least the first one-half (0.5) inch of the permanently removed runoff should be infiltrated.
- 2A. For minor projects less than 2,500 sq. ft. of new impervious and less than 5,000 sq. ft. of disturbed area on existing lots of record, the Small Project Manual of complete permanent removal of the first 2" of runoff may be used provided that the following conditions are met:
- a. The proposed activity will not result in the disturbance of land within floodplains, wetlands, environmentally sensitive areas, riparian forest buffers, or slopes greater than 15%.
 - b. The proposed activity will not be conducted within any existing drainage or storm water easement created by or shown on any recorded plan.

- c. The proposed activity will minimize soil disturbance, take steps to minimize erosion during construction activity, and promptly reclaim all disturbed areas with topsoil and vegetation.
 - d. The proposed activity will not adversely impact any existing known problem areas or downstream property owners or the quality of runoff entering any storm sewer.
 - e. All runoff will be directed to pervious areas on the subject property. No runoff will be directed onto an abutting street or neighboring property
- C. All applicable worksheets from Chapter 8 of the BMP Manual must be used when establishing Volume Controls where CG-2 is used.

Ordinance No. 2010-3 is further amended by striking the word "SAMPLE" From Appendix D Title

APPENDIX D- SAMPLE DRAINAGE PLAN APPLICATION AND FEE SCHEDULE

Ordinance No. 2010-3 is further amended by adding the following application to Appendix E

Appendix E – Stormwater Management Site Plan Exemption Application

**STORM WATER MANAGEMENT SITE PLAN EXEMPTION APPLICATION
JEFFERSON TOWNSHIP**

Owner's Name: _____

Address: _____

Project Location: _____

Phone #: _____ Fax #: _____

Email: _____

Person to be completing the work: _____

Address: _____

Phone #: _____ Fax #: _____

Email: _____

Description of Existing Conditions and Proposed Activity

1. Has any impervious surface been installed on this property since the enactment of this Storm Water Management Ordinance?

No

Yes; total area of previously installed impervious surface _____ sq. ft.

2. Are you removing existing impervious surface as part of this project?

No

Yes; total area of impervious surface to be removed _____ sq. ft.

3. Addition of impervious surface with this project (must be less than 500 sq. ft):

Total area of new impervious surface proposed _____ sq. ft.

Type of new impervious surface:

Driveway Shed Garage Deck Walkway Patio Building Addition

Other (please describe) _____

4. Removal of ground cover, grading, filling, or excavation of an area:

Total area of land disturbance _____ sq. ft.

Type of regulated ground work activity (check all that apply):

Ground Cover Change Grading Filling Excavation

Other Earth Disturbance Activity (please describe) _____

5. Provide a copy of the Zoning or Building Permit Sketch.

By my signature below, I certify to the Township that, to the best of my knowledge, the following statements are true:

- The proposed activity will not result in the disturbance of land within floodplains, wetlands, environmentally sensitive areas, riparian forest buffers, or slopes greater than 15%.
- The proposed activity will not be conducted within any existing drainage or storm water easement created by or shown on any recorded plan.

ENACTED and ORDAINED at a regular meeting of the Jefferson Township Supervisors on this ____ day of _____, 2014. This Amendment to the Stormwater Ordinance shall take effect immediately.

ATTEST:

Secretary

I hereby certify that the foregoing Ordinance was advertised in the _____ on _____, a newspaper of general circulation in the municipality and was duly enacted and approved as set forth at a regular meeting of the Supervisors of Jefferson Township held on _____, 2014.

Secretary