

ARTICLE IV - STORMWATER MANAGEMENT (SWM) SITE PLAN REQUIREMENTS

Section 401. SWM Site Plan Submission

- A. When a property owner or developer proposes a Regulated Activity, said property owner or developer shall submit a SWM Site Plan to demonstrate compliance with the stormwater management provisions of this Ordinance. Said submission shall be required by the Township unless said Regulated Activity is exempted from SWM Site Plan submission in accordance with the exemption criteria and exemption approval process established in Section 302 of this Ordinance. Where the Township determines that the property owner or developer proposing the Regulated Activity is eligible to employ the process established in the Stormwater Management Design Assistance Manual (SWM Plan Appendix C) to address the stormwater management needs of a site, the submission of the required documentation from said Manual shall substitute for the SWM Site Plan requirements of this Article.

- B. Copies of the SWM Site Plan shall be distributed as follows:
 - 1. ____ Two (2) copies to the Municipality.
 - 2. ____ One (1) copy to the Township's Engineer, when applicable.
 - 3. ____ One (1) copy to the Adams County Conservation District (if an NPDES permit is required).
 - 4. ____ One (1) copy to the Adams County Planning Commission (only if submitted as a component of a subdivision and land development plan in accordance with the Liberty Township Subdivision and Land Development Ordinance).

- C. Additional copies shall be submitted as requested by the Township.

- D. The property owner or developer shall submit a review fee in accordance with Article VI. Payment of the required fee shall be considered a component of the SWM Site Plan submission. The SWM Site Plan submission shall not be considered to be complete until such time that any required fee is paid.

Section 402. Plan Requirements

- A. The SWM Site Plan shall include the following information. Where the Regulated Activity for which a SWM Site Plan is being submitted is also subject to subdivision and/or land development plan review in accordance with the Township's Subdivision and Land Development Ordinance, the SWM Site Plan shall be submitted as a component of the subdivision or land development plan submission for the project

and shall include the following information. Where the submission requirements of this section conflict with the submission requirements of the Township's Subdivision and Land Development Ordinance, the more restrictive provisions shall control.

1. The name of the development, the name and address of the owner of the property, and the name and address of the individual or firm preparing the SWM Site Plan. Also to be included are the name, address, signature and seal of any registered surveyor (attesting the accuracy of the boundary survey), professional engineer, landscape architect, or professional geologist (for geomorphological assessments) contributing to and/or responsible for any aspect of the SWM Site Plan.
2. A graphic and written plan scale of one (1) inch equals no more than fifty (50) feet. For parcels of twenty (20) acres or more, the scale shall be one (1) inch equals no more than one hundred (100) feet.
3. North point (arrow).
4. Existing and proposed land uses within the project boundary plus twenty-five (25) feet outside the project boundary.
5. The location of existing and proposed utilities, stormwater facilities, sanitary sewers, and water lines within the project boundary and for the entire area within the first twenty-five (25) feet beyond the project boundary.
6. Significant physical features and associated boundary limits, including flood hazard areas, sinkholes, existing drainage courses, and areas of natural vegetation.
7. Existing and proposed structures, buildings, streets, driveways, access drives, and parking areas.
8. The SWM Site Plan shall show the locations of existing and proposed on-lot wastewater facilities and water supply wells.
9. The location of the proposed Regulated Activity relative to streets, municipal boundaries, and other significant manmade features for the entire area within the first 25 feet beyond the project boundary.
10. A determination of site conditions in accordance with the BMP Manual. A detailed site evaluation shall be completed for projects proposed in areas of carbonate geology or karst topography, as well as for other environmentally sensitive areas, whether natural or manmade, including floodplains, streams, lakes, ponds, hydric soils, wetlands, brownfields, and wellhead protection zones.
11. Stormwater runoff design computations and documentation as specified in this Ordinance, or as otherwise necessary, to demonstrate compliance with the requirements of this Ordinance.

12. The overall stormwater management concept for the project, including any additional information required for a PCSM Plan as applicable.
13. A hydrogeologic assessment of the effects of stormwater runoff on sinkholes, where present.
14. A description of permanent stormwater management techniques, including the construction specifications of the materials to be used for stormwater management facilities.
15. Plan and profile drawings of all SWM BMPs, including drainage structures, pipes, open channels, and swales.
16. Horizontal and vertical profiles of all open channels, including hydraulic capacity.
17. Proposed changes to the land surface and vegetative cover and the type and amount of existing and proposed impervious area.
18. Existing and final contours at intervals of two (2) feet. In areas of slopes in excess of fifteen percent (15%), five (5) foot contour intervals may be used.
19. Drainage flow pathways.
20. The effect of the project in terms of runoff volumes, water quality, and peak flows on surrounding properties and aquatic features and on any existing stormwater conveyance system that may be affected by the project.
21. The effect of the proposed Regulated Activity in terms of runoff volumes and peak flows on adjacent properties and/or any existing municipal stormwater collection system that may receive runoff from the project site.
22. A map showing all existing manmade features beyond the subject parcel's boundary lines that may be affected by the proposed Regulated Activities.
23. Expected project time schedule.
24. An E&S plan, where applicable, as approved by the Adams County Conservation District.
25. An NPDES Permit application, including PCSM Plan, where applicable, as administratively reviewed and approved by the Adams County Conservation District.
26. The SWM Site Plan shall include an O&M Plan for all existing and proposed physical stormwater management facilities. The plan shall address long-term

ownership and maintenance responsibilities as well as schedules and estimated costs for maintenance activities. The O&M Plan shall be prepared in accordance with the requirements of Article V of this Ordinance.

27. Provisions for permanent access or maintenance easements for all physical SWM BMPs, as necessary to implement the O&M Plan
28. A note on the SWM Site Plan indicating the location, and responsibility for maintenance of, SWM facilities and/or easements that would be located on adjoining properties as a result of proposed Regulated Activities, and the location of such facilities and/or easements.
29. The following signature block shall be provided:

This Stormwater Management Site Plan has been reviewed and approved as meeting all design standards and criteria of the Liberty Township Stormwater Management Ordinance.

Secretary

Its

Section 403. Plan Review and Approval Procedure

- A. Pre-Application Meeting: Prior to proceeding with SWM Site Plan preparation and submission, the applicant is encouraged to request a pre-application meeting with Liberty Township to discuss the plan concept and responsibility for submission of required documents and information. If the project requires an E&S plan or an NPDES permit, the applicant is encouraged to meet with a staff member of the Adams County Conservation District as well.
- B. SWM Site Plan Review and Approval Procedure:
 1. If a SWM Site Plan is not submitted as a component of a subdivision and/or land development plan, the review of the SWM Site Plan, recommendations, approval, approval with conditions, or disapproval shall occur within 45 calendar days of submission to the Township. Where the applicant submits revisions to a previously submitted SWM Site Plan, either because the applicant has elected to revise the SWM Site Plan or as a result of a determination by the Township that a revision is necessary to meet the requirements of this Ordinance, this 45-day period shall be restarted. Should the Township fail to render a decision on the SWM Site Plan within this 45 day time period, the application shall be deemed **denied**. The applicant may appeal the denial pursuant to section 706 of this Ordinance, or may seek an extension of the time for review of the application for consultation with the Township to modify the application. The review process shall include the following components.

2. If a SWM Site Plan is submitted as a component of a subdivision and/or land development plan, the SWM Site Plan shall be reviewed in accordance with the review process and time frame established in the Township's Subdivision and Land Development Ordinance) and in accordance with Section 508 of the Pennsylvania Municipalities Planning Code. If the Plan is submitted independently of any subdivision and/or land development plan, the review procedures for subdivision and/or land development plans shall be followed as closely as practicable. (See subparagraph 1. above concerning "deemed denial".)
3. NPDES Permit Technical Coordination: Where the project for which a SWM Site Plan is submitted is subject to NPDES permitting, the Township shall notify the Adams County Conservation District when the applicant has achieved technical compliance with the requirements of this Ordinance. The Township may address this requirement though the completion of the Technical Review Checklist for NPDES Sites in Appendix C or comparable process as determined by the Township. Upon receipt of this notification, the Adams County Conservation District will acknowledge a General NPDES permit. In the case of an Individual NPDES permit, the Adams County Conservation District will coordinate municipal reviews with the DEP Regional Office.
4. NPDES Permits and E&S Plans: Where the project for which a SWM Site Plan is submitted is subject to NPDES permitting or the submission of an E&S Plan, or both, any final approval of the SWM Site Plan by Liberty Township shall be conditioned on the applicant's receipt of the required NPDES Permit or E&S Plan approval, as appropriate.
5. Decision Notification Procedure: In all cases, the decision of the Township to approve with conditions, or to disapprove the SWM Site Plan is to be in writing and delivered to the applicant within fifteen (15) calendar days following the decision. If the SWM Site Plan is disapproved, the written decision by the Township shall state the defects in the application and cite the provisions of the Ordinance involved. If the SWM Site Plan is approved with conditions, the notification to the applicant shall state the acceptable conditions for approval and the time limit for satisfying such conditions. Should the Township fail to notify the applicant of the decision within this fifteen (15) calendar day period, the application shall be deemed **denied** for any and all of the comments stated in any review letter provided to the Township by the Township Engineer, the Township Planning Commission, the County Planning Agency, and/or the Adams County Conservation District and the applicant shall have the right to appeal that denial pursuant to section 706 of this Ordinance.

C. Waiver Requests:

1. If a SWM Site Plan is not submitted as a component of a subdivision and/or land development plan, the Township may accept a request for waiver of one or more of the requirements of this Ordinance. Any such waiver requests shall comply with the following requirements.
 - a. The Township may accept a request for waiver of the requirements of one or more provisions of this Ordinance if the literal enforcement will enact undue hardship because of peculiar conditions pertaining to the land in question, provided that the Township determines that such waiver will not be contrary to the public interest and that the purpose and intent of the Ordinance is observed.
 - b. All requests for waivers from an applicant shall be in writing and shall accompany and be a part of the application for approval of a SWM Site Plan. The request 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 waiver necessary to afford relief.
 - c.. The Township shall act to accept or reject requests for waivers within the context of its SWM Site Plan decision-making process established in Section 403.B.1 of this Ordinance. The decision of the Township regarding acceptance of each request for waiver shall be noted in the minutes of the public meeting of the Township at which acceptance was granted, and notes of the waivers shall be placed on the final copy of the Plan.
3. If a SWM Site Plan is submitted as a component of a subdivision and land development plan, requests for waiver to obtain relief from one or more of the requirements of this Ordinance shall be handled in accordance with the modification process established in the Township's Subdivision and Land Development Ordinance and Section 512.1 of the Pennsylvania Municipalities Planning Code, as amended.

Section 404. Revision of Plans

A. SWM Site Plan not Submitted as a Component of a Subdivision and/or Land Development Plan:

Revisions to a previously approved SWM Site Plan to incorporate a change in SWM BMPs or techniques, or the relocation or redesign of SWM BMPs, or different information about soil or other conditions from what was stated in the SWM Site Plan, shall be submitted by the applicant to the Township. The Township in its sole discretion may require a re-submission and full review of the revised SWM Site Plan in accordance with this Ordinance, including applicable review fees. For NPDES permitted sites, any revised SWM Site Plan shall be re-submitted to the Adams

County Conservation District for its review. In the case of a SWM Site Plan which contains minor deficiencies (such as a missing label, omission of a required note or minor construction detail), the Township may in its sole discretion, may accept a re-submission of such SWM Site Plan without the requirement of a full review fee, or a lesser fee.

B. SWM Site Plan Submitted as a Component of a Subdivision and/or Land Development Plan:

A revision of an SWM Site Plan approved as a component of a subdivision and/or land development plan shall be treated as a revision of the subdivision and/or land development plan and shall be subject to the review process established in the Township's Subdivision and Land Development Ordinance).

Section 405. Re-submission of Disapproved SWM Site Plans

A. SWM Site Plan not Submitted as a Component of a Subdivision and/or Land Development Plan:

A previously disapproved or deemed denied SWM Site Plan may be resubmitted with the revisions addressing all of the defects of the original submission. The re-submitted SWM Site Plan shall be reviewed and acted upon in accordance with Section 403.B.1 of this Ordinance. The applicable review fee must accompany the submission of a revised SWM Site Plan, unless such fee is waived by the Township.

B. SWM Site Plan Submitted as a Component of a Subdivision and/or Land Development Plan:

The resubmission of the SWM Site Plan originally submitted as a component of a subdivision and/or land development plan shall be treated as resubmission of said subdivision and/or land development plan and shall be subject to the review process established in the Township's Subdivision and Land Development Ordinance).

Section 406. Authorization to Construct and Term of Validity

A. SWM Site Plans not Submitted as a Component of a Subdivision and/or Land Development Plan –

The Township's approval of a SWM Site Plan, when such Plan is not submitted as a component of a subdivision and/or land development plan, authorizes the Regulated Activities contained in the SWM Site Plan for a maximum term of five (5) years following the date of approval. The Township may specify a term shorter than five (5) years in the Decision Notification for any specific SWM Site Plan if the nature of the proposed SWM facilities requires more frequent maintenance (more than annual) and/or short-term replacement of certain components. Terms of authority for the Regulated Activities shall commence on the date the Township votes to approve the SWM Site Plan. If an approved SWM Site Plan is not completed according to Section 407 within the authorized term, and if a request to extend the permit has not been submitted to the Township by the applicant, the authority terminates and the Township may revoke any and all permits applicable to the

project. SWM Site Plans for projects with expired permits may be resubmitted in accordance with Section 405 of this Ordinance.

B. SWM Site Plans Submitted as a Component of a Subdivision and/or Land Development Plan –

The term of authority for Regulated Activities for a SWM Site Plan as a component of a subdivision and/or land development plan shall be in accord with the law governing such plans.

Section 407. Final Inspection, Completion Certificate, and As-Built Plans

- A. Prior to commencing construction of stormwater management facilities, the applicant or its agent shall contact the Township’s Engineer to determine at which stages of construction the facilities shall be inspected. No facilities or portion thereof shall be buried or otherwise permanently covered unless and until the inspection of that stage, as determined by the Township Engineer, has been performed and that stage of construction has been approved.
- B. The stormwater management facilities constructed in accordance with a SWM Site Plan not submitted as a component of a subdivision and/or land development plan shall be subject to the following process upon the completion of construction of said facilities.
1. The property owner or developer shall contact the Township within seven (7) days of the completion of the construction process to schedule a Final Inspection. The Final Inspection shall be conducted by the Township Engineer or such other person designated by the Township.
 2. The Township may inspect the completed improvements to confirm consistency with the approved SWM Site Plan. Following the inspection, if any, the Township may take one of the following two actions.
 - a. Issue a Completion Certificate: A Completion Certificate may be issued when the Township determines that the stormwater management facilities have been constructed in conformance with the approved SWM Site Plan.
 - b. Issue Correspondence Regarding Discrepancies: If the Township determines that the stormwater management facilities have not been constructed in accordance with the approved SWM Site Plan, it shall issue correspondence addressed to the property owner or developer summarizing the discrepancies from the approved SWM Site Plan. Such correspondence does not by itself constitute an extension of any applicable SWM Permit.
 3. Upon receipt of correspondence summarizing discrepancies in the constructed stormwater facilities, the property owner or developer shall, apply for permit extensions when necessary, and take one of the following two actions.

- a. Reconstruct the required stormwater management facilities in a manner that complies with the approved SWM Site Plan. Prior to commencement of the reconstruction work, the property owner or developer shall contact the municipality for an inspection schedule in accordance with the process established in Section 407.A.1.
 - b. Submit a revised SWM Site Plan in accordance with the process established in Section 404.A. The revised SWM Site Plan shall be consistent with the improvements as constructed. Upon receipt, the Township may review the revised SWM Site Plan in accordance with the review and approval process of Section 403. If the revised SWM Site Plan is approved, the Township shall issue the Completion Certificate. If the revised SWM Site Plan fails to demonstrate that the constructed stormwater management facilities can comply with the requirements of this Ordinance, the Township may then require the property owner or developer to reconstruct the required stormwater facilities in accordance with the originally approved SWM Site Plan. If the revised SWM Site Plan is approved, the Township shall then issue the Completion Certificate.
4. Within fifteen (15) days of the Completion Certificate, the property owner or developer shall submit to the Township an As-Built Plan depicting the stormwater management facilities as constructed. If requested by the applicant, the Township may grant an extension of the deadline to submit As-Built Plans.
- C. The stormwater management facilities constructed in accordance with a SWM Site Plan submitted as a component of a subdivision and/or land development plan shall be subject to the completion of improvements requirements of the Township's Subdivision and Land Development Ordinance and Sections 509 through 511 of the Pennsylvania Municipalities Planning Code, as amended.