ORDINANCE APPENDIX A

SIMPLIFIED APPROACH TO STORMWATER MANAGEMENT FOR SMALL PROJECTS

Appendix A Simplified Approach to Stormwater Management for Small Projects

Appendix A.1 –

Applicability, Submittal and Approval Requirements

Appendix A.2 –

"Simplified Approach to Stormwater Management for Small Projects – Handbook"

Appendix A.1 Applicability, Submittal and Approval Requirements

Elk Township Chester County, Pennsylvania

Applicability:

- Small projects with less than 2,000 square feet of Regulated Impervious Surfaces (as defined in the Municipality's Stormwater Management Ordinance) and with less than 10,000 square feet of proposed Earth Disturbance (as defined in the Municipality's Ordinance) may apply the "Simplified Approach to Stormwater Management for Small Projects" (Simplified Approach).
- <u>Only projects that meet the above size thresholds as specified in the Municipality's</u> <u>Stormwater Management Ordinance may use this Simplified Approach</u> and are then not required to submit a fully engineered Stormwater Management Site Plan to the Municipality. However, these projects are still required to address water quality and infiltration requirements as outlined in the Simplified Approach "Handbook". This Handbook is intended to aid applicants in addressing these requirements through the installation of a properly sized underground infiltration trench.
- Any project with more than 2,000 square feet of Regulated Impervious Surface or more than 10,000 square feet of proposed Earth Disturbance can NOT apply this Simplified Approach.
- The Applicant should first review the planned project with the Municipal Engineer prior to initiating the Simplified Approach to confirm the following:
 - That the proposed project is not otherwise exempt from the stormwater management control and the engineered Stormwater Management Site Plan requirements of the Municipality's Stormwater Management Ordinance;
 - That the proposed project is eligible to use this Simplified Approach;
 - Which components of the proposed project must be included in the calculation of "impervious surfaces (areas)"; and
 - Whether any local conditions are known to the Municipal Engineer that would preclude the use of any of the techniques included in this Simplified Approach.

Submittal and Approval Requirements:

Use of the Simplified Approach requires:

- The applicant to submit the following to the Municipality for review and approval prior to beginning construction per the Simplified Approach Handbook:
 - Simplified Approach Stormwater Management Application
 - Simplified Approach Stormwater Management Checklist
 - Simplified Approach Stormwater Management Site Plan (i.e., sketch plan)
 - A completed, signed, and notarized "Simplified Operation, Maintenance and Inspection Plan and Agreement".
- The applicant is to record the "Simplified Approach Stormwater Best Management Practices Operation, Maintenance and Inspection Plan and Agreement" at the Chester County Office of the Recorder of Deeds after signature by the Municipality.
- A final inspection conducted by the Municipality after completion of construction.

Appendix A.2 Simplified Approach to Stormwater Management for Small Projects - Handbook

Simplified Approach to Stormwater Management for Small Projects

Handbook

Prepared by: CEDARVILLE Engineering Group, LLC (CEG) 159 E. High Street, Suite 500 Pottstown, PA 19464

Updated January 12, 2022

Further revised by: *AECOM*

for:

Elk Township as part of the County-wide Act 167 Stormwater Management Plan for Chester County, PA

Revised Date: April 2023

All revisions made by AECOM were completed without consultation with CEG and were completed at the sole discretion of AECOM.

Table of Contents

<u>Secti</u>	lon	<u>Page</u>
1.0	Introduction	4
2.0	Project Eligibility for the Simplified Approach	4
3.0	Simplified Approach Design Procedure	5
4.0	Frequently Asked Questions	9
5.0	Simplified Approach Stormwater Management Plan Application Packet	13
6.0	Example Simplified Approach Stormwater Management Site Plans	20

1.0 Introduction

Pennsylvania's Storm Water Management Act (PA Act 167) was enacted in 1978 in response to the impacts of the accelerated stormwater runoff resulting from land development in the state. PA Act 167 requires counties to prepare and adopt watershed-based stormwater management plans. Municipalities are also required to adopt and implement ordinances to regulate development consistent with these plans. The purpose of these regulations is to protect public health, safety and general welfare, property values, and water quality and quantity by implementing drainage and Stormwater Management practices, criteria, and provisions for land development, construction, and Earth Disturbance Activities.

PA Act 167 gave Pennsylvania Municipalities the power to regulate activities affecting flooding, streambank erosion, stormwater runoff, and surface and groundwater quality and quantity. The Municipality's Stormwater Management Ordinance was prepared to comply with the provisions included in PA Act 167. This Ordinance also includes provisions allowing this Simplified Approach to Stormwater Management to be used for small projects.

This Handbook has been developed to allow homeowners or applicants for small projects to comply with stormwater management requirements of the Stormwater Management Ordinance of the Municipality, including sizing, designing, locating, and installing on-lot measures, referred to herein as "Best Management Practices" (BMPs). Only projects that meet the size thresholds specified in the Municipality's Stormwater Management Ordinance may use this Simplified Approach and are then not required to submit a formal fully engineered Stormwater Management Site plan to the Municipality. However, these projects are still required to address certain requirements, such as stormwater quality, infiltration, rate, and volume management goals as outlined in this Simplified Approach Handbook. This Handbook is intended to aid applicants in addressing these requirements through the installation of a properly sized underground infiltration trench.

The purpose of requiring effective stormwater management from small projects is to help reduce stormwater runoff in the community, to maintain groundwater recharge, to prevent degradation of surface and groundwater quality, and to otherwise protect water resources and for public safety.

2.0 Project Eligibility for the Simplified Approach

To be eligible for the Simplified Approach, projects must meet the threshold, roof area, and BMP type requirements described below. It is recommended that prior to submission of an application utilizing the Simplified Approach, a meeting should be scheduled with the Municipal Engineer to confirm eligibility and review the application process. It shall be noted that the plan approval shall not be considered at this meeting.

Threshold

Small projects with 1,000 to 2,000 square feet of Regulated Impervious Surface (as defined in the Municipality's Stormwater Management Ordinance) and with 5,000 to 10,000 square feet of proposed Earth Disturbance (as defined in the Municipality's Stormwater Management Ordinance) may apply the Simplified Approach. Regulated Impervious Surface includes

Proposed Impervious Surface as part of a current proposed project and all existing Impervious Surfaces installed after December 18, 2013.

Only projects that meet the above size thresholds as specified may use this Simplified Approach and are then not required to submit a formal Stormwater Management Site Plan to the Municipality. However, these projects are still required to address water quality and infiltration requirements as outlined in this Appendix A.

Any project with more than 2,000 square feet of Regulated Impervious Surface or more than 10,000 square feet of proposed Earth Disturbance **cannot** apply this Simplified Approach.

Starting December 18, 2013, projects and Impervious Surfaces are measured cumulatively. If an applicant completes a project this year that qualifies for the Simplified Approach, but then proposes to complete a second project next year, and the total Impervious Surface for the two projects exceeds the applicable threshold for the Simplified Approach, a fully engineered Stormwater Management Plan for the entirety of the two projects will be required.

Roof Area

For a project to be considered for utilizing the Simplified Approach, sufficient roof area must be available, either existing or proposed, so that the roof area being conveyed to the stormwater BMP (underground infiltration trench) is of equivalent or greater area than the Regulated Impervious Surface proposed, including existing Impervious Surface(s) installed after December 18, 2013. Impervious Surface is defined in Article II of the Elk Township Stormwater Management Ordinance. Plans proposing capturing and conveyance of overland flow will not be considered. Sizing of the bed shall be in accordance with Sheet 3C of the Simplified Approach Stormwater Management Plan Packet (Section 5.0 below) and shall be based upon the actual roof area being conveyed to the bed, not the Regulated Impervious Surface.

BMP Type

The only stormwater BMP allowable under the Simplified Approach is the stormwater underground infiltration trench referenced in the Simplified Approach Stormwater Management Plan Application Packet. Refer to Section 5.0 below for the application packet and Section 6.0 for Example Simplified Approach Stormwater Management Site Plans. BMPs other than specifically referenced above shall require engineered plans prepared in accordance with the provisions of the stormwater ordinance.

3.0 Simplified Approach Design Procedure

All Regulated Impervious Surfaces, which include Proposed Impervious Surfaces and existing Impervious Surfaces constructed after December 18, 2013 (as defined in Article II of the Elk Township Stormwater Management Ordinance) must be included in the determination of the amount of Proposed Impervious Surfaces and the size of proposed underground infiltration trench needed to control stormwater. Proposed Impervious Surfaces on an individual residential lot may include, but are not limited to: roof area, pavement, sidewalks, driveways, patios, porches, or parking areas. Refer to the definitions provided in Article II of the Ordinance and contact the Municipal Engineer to confirm what features of the proposed project must be included in the calculation of Regulated Impervious Surface area.

Sufficient roof area shall be available and diverted via downspout(s) to the proposed infiltration trench(es). The downspouts shall have appropriate measures to prevent clogging by unwanted debris (for example, silt, leaves and vegetation). Such measures shall include but are not limited to leaf traps, gutter guards, and cleanouts. Alternative designs, or alternative stormwater structures, shall be reviewed by the Municipal Engineer and shall be subject to the full Municipal Stormwater Ordinance.

Below are the steps that must be undertaken to meet the Ordinance requirements. The size and description of the proposed construction as well as important aspects related to the design of the BMP(s) must be documented in the Simplified Approach - Stormwater Management Worksheet. All individuals planning on using the Simplified Approach are encouraged to review the planned project with the Municipal Engineer prior to initiating the Simplified Approach to confirm the following, as the Municipal Engineer will be responsible for determining eligibility to use the Simplified Approach:

- That the proposed project is not otherwise exempt from the stormwater management control and fully engineered Stormwater Management Site Plan requirements of the Municipality's Stormwater Management Ordinance;
- That the proposed project size is within the range eligible to use this Simplified Approach;
- That sufficient roof area is available to manage and is equal to or greater than the Regulated Impervious Surface;
- Which components of the proposed project must be included in the calculation of "Impervious Surfaces"; and
- Whether any local conditions are known to the Municipal Engineer that would preclude the use of any of the techniques included in this Simplified Approach.

STEP 1 – PREPARE THE SIMPLIFIED APPROACH STORMWATER MANAGEMENT SITE PLAN THAT INCLUDES:

- 1. Name and address of the owner of the property.
- 2. Name and address of the individual preparing the plan (if different).
- 3. Date of plan preparation.
- 4. North arrow.
- 5. Location of all existing features within 50 feet of the property, including (if present):
 - Buildings;
 - Driveways;
 - Roads;
 - Easements;
 - Septic Systems;
 - Streams;
 - Wetlands;
 - Floodplains; and
 - Existing Stormwater Facilities.
- 6. Show water supply wells within 50 feet of the proposed facility or add a note that no wells are present within 50 feet of the proposed facility.

- 7. Location and approximate size of the roof area to be captured and diverted to the proposed BMP.
- 8. Location and approximate size in square feet of proposed:
 - a. Structures;
 - b. Driveways; and
 - c. Other Impervious Surfaces.
- 9. Location, orientation, and dimensions of the proposed underground infiltration trench(es). Length, width, and depth must be included on the plan.
- 10. Distance from the proposed underground infiltration trench(es) to any existing surface water features, such as: streams, lakes, ponds, wetlands, or other natural waterbodies (must be greater than 50 feet from surface water features or outside of an existing legally prescribed buffer (i.e., deed, covenants, easement, etc.), whichever is greater).
- 11. Distance from the proposed underground infiltration trench(es) to any existing septic system, public sewer line, or service lateral (must be greater than 20 feet unless otherwise approved by Municipal Engineer).
- 12. Distance from the proposed underground infiltration trench(es) to any existing wells or water service lines (must be greater than 50 feet unless otherwise approved by Municipal Engineer).
- 13. Distance from the proposed underground infiltration trench(es) to nearest property line (must be > 10 feet).
- 14. Distance from the proposed underground infiltration trench(es) to all buildings and features with subgrade elements (e.g., basements, foundation walls, etc.) must be > 10 feet.
- 15. Show distance from at least two existing fixed features to the proposed underground infiltration trench(es). Fixed features include, but are not limited to, corners of existing buildings, driveways, septic system cleanout pipes, and mailboxes.
- 16. PA ONE CALL (8-1-1 OR 1-800-242-1776) Identification Number received by calling the PA One Call system.

STEP 2 – DETERMINE PROPOSED IMPERVIOUS SURFACES:

- 1. Determine the total area of all Proposed Impervious Surfaces that will need to drain to one or more infiltration trench(es).
- 2. Determine the total area of Earth Disturbance needed to complete the project and install the infiltration trench(es).
- 3. Determine locations where the infiltration trench(es) need to be placed so runoff from all the Proposed Impervious Surfaces can be captured.

Example:

Garage Roof (Front)	33 feet by 25 feet	=	825 square feet
Driveway	10 feet by 26 feet	=	260 square feet
Total Proposed Impervious Surface			1,085 square feet
Total proposed Earth Disturbance area			2,500 square feet (estimated)

STEP 3 – DETERMINE SIZE OF THE UNDERGROUND INFILTRATION TRENCH:

- 1. Select the appropriate value of Proposed Impervious Surface in the first column of Table 1.
- 2. Select the width of the trench(es) to be utilized to determine the required length of the trench(es).
- 3. When appropriate, and when approved by the Municipal Engineer prior to submission, minimum trench length can be achieved through the use of more than one trench.

<u>Note:</u> Trench(es) to be constructed to dimensions indicated below. Modifications of the dimensions are not permitted if utilizing the Simplified Approach. This table is based on an overall trench depth of at least four feet, containing a minimum cover of one foot of soil cover, and three feet of stone with filter fabric, installed in accordance with the diagram included with the Simplified Approach Stormwater Management Plan Application Packet. Infiltration testing is not required when using the Simplified Approach.

Table 1 – Underground Infiltration	Trench Sizing	Table for	1,000-2,000 ft ²	of Regulated
Impervious Surface				

Regulated	4-foot wide	5-foot wide	6-foot wide	7-foot wide	8-foot wide
Impervious	Trench	Trench	Trench	Trench	Trench
Surface	Length of				
(square feet)	trench (feet)				
1,000	45.75	36.50	30.50	26.25	23.00
1,001 to 1,050	46.75	37.50	31.25	26.75	23.50
1,051 to 1,100	48.00	38.50	32.00	27.50	24.00
1,101 to 1,150	49.25	39.25	32.75	28.25	24.75
1,151 to 1,200	50.25	40.25	33.50	28.75	25.25
1,201 to 1,250	54.75	44.00	36.50	31.50	27.50
1,251 to 1,300	59.50	47.50	39.75	34.00	29.75
1,301 to 1,350	61.75	49.25	41.25	35.25	71.00
1,351 to 1,400	64.00	51.25	42.75	36.50	32.00
1,401 to 1,450	66.25	53.00	44.25	38.00	33.25
1,451 to 1,500	68.50	54.75	45.75	39.25	34.25
1,501 to 1,550	70.75	56.75	47.25	40.50	35.50
1,551 to 1,600	73.00	58.50	48.75	41.75	36.50
1,601 to 1,650	75.25	60.25	50.25	43.00	37.75
1,651 to 1,700	77.75	62.25	51.75	44.50	39.00
1,701 to 1,750	80.00	64.00	53.25	45.75	40.00
1,751 to 1,800	82.25	65.75	54.75	47.00	41.25
1,801 to 1,850	84.50	67.50	56.25	48.25	42.25
1,851 to 1,900	86.75	69.50	58.00	49.75	43.50
1,901 to 1,950	89.00	71.25	59.50	51.00	44.50
1,951 to 1,999	91.25	73.00	61.00	52.75	45.75

STEP 4 – SUBMISSION TO MUNICIPALITY:

- 1. Prepare the Simplified Approach Stormwater Management Site Plan, which consists of 4 sheets:
 - a. Simplified Site Plan (1 of 4)
 - b. Infiltration Trench Detail (2 of 4)
 - c. Infiltration Trench Notes (3C of 4)
 - d. Infiltration Trench Operation & Maintenance Notes (4 of 4)
- 2. Complete the Simplified Approach Stormwater Management Worksheet.
- 3. Complete the **Simplified Approach Stormwater Management Checklist** to ensure all required information is completed.
- 4. Submit the completed forms and plan to the Municipality for review and approval prior to beginning construction.
- 5. After the Municipality has approved the submission, a signed Operation and Maintenance Agreement will be provided to the applicant.
- 6. Record the Agreement at the County's Office of Recorder of Deeds.
- 7. Construction can begin only after the Municipality has issued its approval of the proposed project to the applicant and the Agreement has been recorded.
- 8. Notify the Municipality at least two (2) business days prior to the start of any construction and schedule any needed inspections.
- 9. If the applicant is using a contractor to construct the project, the approved application including the worksheet and plan must be shared with the contractor to ensure the underground infiltration trench(es) are properly installed.

<u>Note:</u> Property owners building underground infiltration trenches per the Simplified Approach will need to record an Operation and Maintenance Agreement (O&M Agreement) at the Chester County Recorder of Deeds. The O&M Agreement is provided by the Municipality (or the Municipality may require that the applicant or its consulting engineer prepare the O&M Agreement subject to review by the municipal staff or the Municipal Engineer) using the template shown in Appendix E of the Stormwater Management Ordinance. An O&M Agreement is needed to ensure access, inspection, maintenance, operation, repair, and permanent protection for these stormwater management facilities.

4.0 Frequently Asked Questions

Frequently Asked Questions (FAQs) regarding the Simplified Approach and Stormwater Management are located below.

4.1 What is Stormwater Management?

Stormwater Management is the practice of managing surface water runoff from precipitation events. Stormwater Management is a way to reduce the impacts of decreasing infiltration that results from altering the land from natural conditions. The goal of stormwater management is to reduce the volume of stormwater runoff through practices that capture, infiltrate, detain, or evaporate stormwater. These practices help to improve water quality, restore groundwater recharge, and improve stream habitat. Examples of residential Stormwater Management are rain gardens, rain barrels, porous pavers, drywells, and infiltration trenches.

4.2 Why do I have to do Stormwater Management for my small project?

The new Municipal regulations, derived from Federal and State mandates, require that all property owners be responsible for managing stormwater runoff from Impervious Surfaces. All projects requiring a permit will be reviewed by the Municipality for stormwater considerations.

4.3 Is the square footage of the BMP included in the Earth Disturbance calculation?

Yes. All distributed soils are to be included in the calculation for Earth Disturbance.

4.4 What if I am removing and replacing existing Impervious Surface, such as a driveway or shed?

The replacement <u>in the exact footprint</u> of an existing one- or two-family dwelling unit or existing Impervious Surface such as patios, driveways, garages, sheds, or sidewalks that are accessory to an existing one- or two-family dwelling unit in the exact footprint of the existing Impervious Surface are exempt from the requirements of Sections 301, 304, 305, 306, 307, 308, 309, and 310, and Articles IV, V, VI, and VII of the Elk Township Stormwater Management Ordinance. In these cases, no stormwater plan is required to be submitted to the Municipality.

4.5 What is the penalty if I do not apply for or follow the application process or maintenance obligations?

The Municipality has legal enforcement action defined in the Municipality's Code which may include the right to deny occupancy permits and assess fines as needed for enforcement.

4.6 Are professional engineering services necessary to meet these requirements?

This Appendix has been developed to assist the landowner in meeting the water quality and groundwater recharge goals of the Elk Township Stormwater Management Ordinance. If a project is eligible for use of the Simplified Approach and the guidelines are followed, the landowner is not required to utilize professional engineering services to comply with applicable requirements of the Stormwater Management Ordinance.

4.7 What is an underground infiltration trench?

An underground infiltration trench is a rock-filled trench with no outlet that receives stormwater runoff. Runoff is stored in the void space between the stones and infiltrates through the bottom and into the soil matrix. Infiltration trenches perform well for removal of fine sediment and associated pollutants. Infiltration testing is recommended to ensure soil is capable of infiltrating stormwater. Underground infiltration trenches shall incorporate or make provisions for the following elements:

- Shall be constructed after all Earth Disturbance associated with the project or site is stabilized to avoid clogging.
- Perforated pipe is to be set level.
- The width is limited to between four feet to eight feet with a fixed stone depth of three feet.
- Trench(es) shall be wrapped in nonwoven geotextile (top, bottom, and sides).

- There shall be a positive overflow that allows stormwater that cannot be stored or infiltrated to be discharged into a nearby vegetated area (clean-out or pop-up emitter).
- It is recommended that there be a two-foot clearance above the regularly occurring seasonal high-water table and have a minimum depth to bedrock of two feet.
- The underground infiltration trench shall be at least 10 feet from buildings, 10 feet from property lines or rights-of-way, 50 feet from individual water supply wells, and 100 feet from community or Municipal water supply wells. If no well is present within 50 feet of the underground infiltration trench, a note stating such must be put on the plan.
- The underground infiltration trench shall be at least 50 feet from any septic system absorption area and 50 feet from community or Municipal Sewer lines and laterals, or as otherwise approved by the Municipal Engineer or Municipal Authority Engineer.
- The underground infiltration trench shall not be located near hotspots which are areas where land use or activities generate highly contaminated runoff, with concentrations of pollutants that are higher than those that are typically found in stormwater.
- The underground infiltration trench shall be located a minimum of 10 feet from subsurface structures such as building foundations and basements so that it does not threaten their structural integrity.
- Infiltration areas must be protected from compaction by heavy equipment during and after construction. The ratio of the collected area to the footprint of the facility shall be as small as possible with a ratio of less than 5:1 preferred.
- Where roof drains are designed to discharge to the underground infiltration trench(es), the roof drains shall have appropriate measures to prevent clogging by unwanted debris (for example, silt, leaves and vegetation). Such measures may include but are not limited to leaf traps, gutter guards, or cleanouts.

4.8 How is an underground infiltration trench constructed?

Refer to the standard construction sequence for an underground infiltration trench as required by the Simplified Approach.

- 1. Contact PA ONE CALL 8-1-1 or 1-800-242-1776.
- 2. Protect infiltration areas from compaction by heavy equipment during and after construction.
- 3. Silt sock or silt fence should be installed upslope of the proposed infiltration trench and downslope of all proposed Earth Disturbance and shown on the Plan.
- 4. Construction of the underground infiltration trench shall only be started after all Earth Disturbance associated with the project or site is stabilized to avoid clogging.
- 5. Excavate the underground infiltration trench to a minimum depth of four feet. The excavated trench bottom must have uniform, level, uncompacted subgrade free from rocks and debris. Scarify the bottom of the trench, so not to compact the subgrade.
- 6. Place nonwoven geotextile along all the sides of the trench. Where separate pieces of geotextile meet, they shall overlap by a minimum of 18 inches. Fold back and secure excess geotextile during stone placement.
- 7. Place clean stone (such as: 2B, three-quarter-inch clean stone, or AASHTO #57) in the trench.
- 8. Install the continuously perforated pipe and cleanouts within the trench.

- 9. If a downspout will be connected to the system, install the piping from the downspout to the perforated trench piping. Install appropriate measures to prevent clogging by unwanted debris such as leaf traps, gutter guards, and cleanouts.
- 10. Backfill with clean stone to establish an overall stone depth of three feet. Fold and secure the nonwoven geotextile over the top of underground infiltration trench with an eighteen-inch overlap.
- 11. Place a minimum of 12 inches of topsoil over geotextile. Grading shall direct surface runoff toward the center of the trench (The Municipality will consider surface materials on a project-by-project basis).
- 12. Stabilize the topsoil with seed and straw mulch.

4.9 What are the maintenance requirements for an underground infiltration trench?

Vegetation along the surface of an underground infiltration trench shall be maintained in good condition, and any bare spots shall be revegetated as soon as possible. Vehicles may not be parked or driven on any underground infiltration trench, and care shall be taken to avoid excessive compaction by mowers. Any debris such as leaves blocking flow from reaching an underground infiltration trench shall be routinely moved.

4.10 What if my roof area is larger than the Regulated Impervious Surface I am proposing?

In order to utilize the Simplified Approach, the applicant must size the proposed infiltration trench for the amount of roof area directed into it, even if it is larger than the amount of Regulated Impervious Surface being proposed. Contact the Township for infiltration trench sizing assistance if the roof area is greater than 2,000 square feet and is not covered by Table 1 in this Appendix. This additional roof area may be "credited" toward future Proposed Impervious Surface. If the applicant were to propose additional Impervious Surface in the future and the total Regulated Impervious Surface is still less than the roof area that the infiltration trench was sized for, additional stormwater management requirements may not be applicable <u>if all other requirements of the Ordinance are met</u>.

5.0 Simplified Approach Stormwater Management Plan Application Packet

The following pages include the required elements of a Simplified Approach Stormwater Management Plan Application Packet:

- Simplified Approach Stormwater Management Worksheet
- Simplified Approach Stormwater Management Checklist
- Simplified Site Plan* consisting of:
 - Project Site Plan (1 of 4)
 - Infiltration Trench Detail (2 of 4)
 - Infiltration Trench Notes (3C_of 4)
 - Infiltration Trench Operation and Maintenance Notes (4 of 4)
- Stormwater Best Management Practices and Conveyances O&M Agreement**

*Examples for Simplified Site Plan completion can be found in Section 6.0 of this Appendix

** Refer to the Sample Agreement in Appendix E of the Elk Township Stormwater Management Ordinance and contact the Township to verify use of the Sample Agreement prior to application.

Sim	plified	Appr	oach –	Storm	water	Manag	ement	Worksheet
		F F						

Name of Property Owner:			Date:		
Name of Applicant [If different that	an owner(s)]:				
Contact Phone #: Email Address:					
Address of Project:					
Description of Project:					
Distance from Earth Disturbance to	o nearest surfac) feet or less	e water feature (□ More than 50	(stream, pond, wetland, etc.): feet		
REGULATED IMPERVIOUS SU	RFACES				
Description of Proposed Impervious Surface	Dimensions [length X width]		Area (square feet)		
Total Proposed Impervious Surface	(square feet):				
Existing Impervious Surface constru (square feet): Regulated Impervious Surface (sun square feet). If this is less than 1,000 is not required; if this is more than 2	acted since Dece n of the two row $\frac{1}{2}$, Stormwa $\frac{1}{2}$, 000 feet ² , the S	mber 18, 2013 s above in ter Management implified			
Approach may not be used.		•			
Total Proposed Earth Disturbance A	rea (square feet)): NTDENCU (17	UNG		
Proposed Impervious Area to Trench (square feet)	Proposed Dim	ensions			
1					
2					
Does the project involve new roof If yes, the downspout must be com- have measures to prevent clogging trap	area?	□ No oposed Undergr debris. Indicate t	ound Infiltration Trench and mus he measure proposed:		
ignature:	_ Date:				

Printed Name: _____

Simplified Approach – Stormwater Management Checklist

Yes	No	Not Applicable	Required Information			
			Name and address of the owner of the property.			
			Name and address of individual preparing the plan (if different).			
			Date of plan preparation.			
			North arrow.			
			 Location of all existing features within 50 feet of the property, including (if present): Buildings; Driveways; Roads; Water Lines/Wells (or a note that no wells are present within 50 feet of the proposed facility); Septic Systems/Sewer Mains and Laterals; Streams, Wetlands, and Floodplains Existing Stormwater Facilities; and Easements. 			
			Location and approximate size in square feet of existing roof area to be captured and diverted to the BMP.			
			 Location and approximate size in square feet of proposed: Structures; Driveways; and Other paved/Impervious Surfaces. 			
			Location, orientation, and dimensions of the proposed Underground Infiltration Trench(es). Length and width must be included on the plan.			
			Distance from the proposed Underground Infiltration Trench(es) to any existing surface water features, such as: streams, lakes, ponds, wetlands, or other natural waterbodies. Must be > 50 feet from surface water features or outside of an existing legally described buffer (i.e., deed, covenants, easement, etc.) whichever is greater. Contact the Municipality if this is not possible.			
			Distance from the proposed Underground Infiltration Trench(es) to any existing septic system, public sewer line, or lateral.			
			Distance from the proposed Underground Infiltration Trench(es) to any existing wells or waterlines.			
			Distance from the proposed Underground Infiltration Trench(es) to any proposed wells or waterlines.			
			Show distance from at least two existing fixed features (e.g., house, shed, driveway) to the proposed Underground Infiltration Trench(es).			

Complete the checklist below to verify all required information is shown on the plan:

				NORTH ARROW
Underground Service Alert	PROPERTY OWNE NAME: ADDRESS:	B		
Call: TOLL FREE 1-800-242-1776 THREE WORKING DAYS BEFORE YOU DIG	PLAN PREPARER NAME: ADDRESS:	chester county SIMPLIF SITE PL	pennsylvania TED AN	sheet no. <u>1</u> <u>1 OF 4</u>



NOTES

§ 345-306.M: DURING SITE CONSTRUCTION, ALL INFILTRATION PRACTICE COMPONENTS SHALL BE PROTECTED FROM COMPACTION DUE TO HEAVY EQUIPMENT OPERATION OR STORAGE OF FILL OR CONSTRUCTION MATERIAL. INFILTRATION AREAS SHALL ALSO BE PROTECTED FROM SEDIMENTATION. AREAS THAT ARE ACCIDENTALLY COMPACTED OR GRADED SHALL BE REMEDIATED TO RESTORE SOIL COMPOSITION AND POROSITY. ADEQUATE DOCUMENTATION TO THIS EFFECT SHALL BE SUBMITTED TO THE TOWNSHIP ENGINEER FOR REVIEW. ALL AREAS DESIGNATED FOR INFILTRATION SHALL NOT RECEIVE RUNOFF UNTIL THE CONTRIBUTORY DRAINAGE AREA HAS ACHIEVED FINAL STABILIZATION.

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- (6) PA ONECALL IS REQUIRED BEFORE ANY CONSTRUCTION ACTIVITIES COMMENCE.

TRENCH LENGTH (1000-2000 SQUARE FEET OF REGULATED IMPERVIOUS SURFACE)

	Impervious	4' Wide Trench	5' Wide Trench	6' Wide Trench	7' Wide Trench	8' Wide Trench	
1	Surface (sf)	Length of Trench (ft)	Length of Trench (ft)	Length of Trench (ft)	Length of Trench (ft)	Length of Trench (ft)
	1000	45.75	36.50	30.50	26.25	23.00	
	1001-1050	46.75	37.50	31.25	26.75	23.50	
	1051-1100	48.00	38.50	32.00	27.50	24.00	
	1101-1150	49.25	39.25	32.75	28.25	24.75	
	1151-1200	50.25	40.25	33.50	28.75	25.25	
	1201-1250	54.75	44.00	36.50	31.50	27.50	
	1251-1300	59.50	47.50	39.75	34.00	29.75	
	1301-1350	61.75	49.25	41.25	35.25	71.00	
	1351-1400	64.00	51.25	42.75	36.50	32.00	
	1401-1450	66.25	53.00	44.25	38.00	33.25	
	1451-1500	68.50	54.75	45.75	39.25	34.25	
	1501-1550	70.75	56.75	47.25	40.50	35.50	
	1551-1600	73.00	58.50	48.75	41.75	36.50	
	1601-1650	75.25	60.25	50.25	43.00	37.75	
	1651-1700	77.75	62.25	51.75	44.50	39.00	
	1701-1750	80.00	64.00	53.25	45.75	40.00	
	1751-1800	82.25	65.75	54.75	47.00	41.25	
	1801-1850	84.50	67.50	56.25	48.25	42.25	
	1851-1900	86.75	69.50	58.00	49.75	43.50	
	1901-1950	89.00	71.25	59.50	51.00	44.50	
	1951-1999	91.25	73.00	61.00	52.75	45.75	
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STORMWATER FACILITIES OPERATIONS AND MAINTENANCE PLAN

THE HOMEOWNER WILL BE RESPONSIBLE FOR THE OPERATION AND MAINTENANCE OF ALL STORMWATER AND BMP FACILITIES. THE FACILITIES WILL INCLUDE THE INFILTRATION TRENCH ON THE PROPERTY AS WELL AS ANY YARD OR ROOF DRAINS, PIPING, POP-UP EMITTERS OR CLEAN-OUTS SHOWN ON THIS PLAN.

MAINTENANCE AND OPERATION WILL BE AS FOLLOWS:

- 1. THE INFILTRATION TRENCH AND CONVEYANCES DESCRIBED IN THIS PLAN SHALL BE INSPECTED ANNUALLY OR AS NEEDED FOLLOWING SIGNIFICANT PRECIPITATION EVENTS TO ASCERTAIN IF ANY SEDIMENT IS ENTERING THE FACILITIES. THE INFILTRATION TRENCH AND CONVEYANCES DESCRIBED IN THIS PLAN SHALL BE CLEANED IF NECESSARY. CLEANING WILL CONSIST OF REMOVING THE ACCUMULATED SILT, DEBRIS, OR SEDIMENT.
- 2. THE OVERLYING VEGETATION ON THE INFILTRATION TRENCH SHALL BE MAINTAINED IN GOOD CONDITION, AND ANY BARE SPOTS RE-VEGETATED AS SOON AS POSSIBLE.
- 3. VEHICULAR ACCESS ON THE INFILTRATION TRENCH SHOULD BE PROHIBITED, AND CARE SHOULD BE TAKEN TO AVOID EXCESSIVE COMPACTION BY MOWERS.
- 4. REPAIR ALL DAMAGED PIPING, CLEAN-OUTS, AND POP-UP EMITTERS PROMPTLY TO PREVENT SEDIMENT FROM ENTERING THE SYSTEM. SPECIAL CARE SHOULD BE TAKEN TO AVOID DAMAGING EXPOSED ELEMENTS WITH MOWERS AND/OR STRING TRIMMERS.
- 5. GRASSES OVER THE INFILTRATION TRENCH SHALL BE MOWED AT LEAST TWICE EACH YEAR. TREES AND SHRUBS SHOULD NOT BE PERMITTED TO GROW ABOVE THE INFILTRATION TRENCH.

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6.0 Example Simplified Approach Stormwater Management Site Plans



NOTES

§ 345-306.M: DURING SITE CONSTRUCTION, ALL INFILTRATION PRACTICE COMPONENTS SHALL BE PROTECTED FROM COMPACTION DUE TO HEAVY EQUIPMENT OPERATION OR STORAGE OF FILL OR CONSTRUCTION MATERIAL. INFILTRATION AREAS SHALL ALSO BE PROTECTED FROM SEDIMENTATION. AREAS THAT ARE ACCIDENTALLY COMPACTED OR GRADED SHALL BE REMEDIATED TO RESTORE SOIL COMPOSITION AND POROSITY. ADEQUATE DOCUMENTATION TO THIS EFFECT SHALL BE SUBMITTED TO THE TOWNSHIP ENGINEER FOR REVIEW. ALL AREAS DESIGNATED FOR INFILTRATION SHALL NOT RECEIVE RUNDEE UNTIL THE CONTRIBUTORY DRAINAGE AREA HAS ACHIEVED EINAL STAPIL VATION. RECEIVE RUNOFF UNTIL THE CONTRIBUTORY DRAINAGE AREA HAS ACHIEVED FINAL STABILIZATION.

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[Impervious	4' Wide Trench	5' Wide Trench	6' Wide Trench	7' Wide Trench	8' Wide Trend	h
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	1201-1250	54.75	44.00	36.50	31.50	27.50	
	1251-1300	59.50	47.50	39.75	34.00	29.75	
	1301-1350	61.75	49.25	41.25	35.25	71.00	
	1351-1400	64.00	51.25	42.75	36.50	32.00	
	1401-1450	66.25	53.00	44.25	38.00	33.25	
	1451-1500	68.50	54.75	45.75	39.25	34.25	
	1501-1550	70.75	56.75	47.25	40.50	35.50	
	1551-1600	73.00	58.50	48.75	41.75	36.50	
	1601-1650	75.25	60.25	50.25	43.00	37.75	
	1651-1700	77.75	62.25	51.75	44.50	39.00	
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ORDINANCE APPENDIX B

CONSERVATION DESIGN AND LOW IMPACT DEVELOPMENT SITE DESIGN

CONSERVATION DESIGN & LOW IMPACT DEVELOPMENT SITE DESIGN

INTRODUCTION

Traditional approaches to land development often radically alter natural hydrologic conditions by constructing collection and conveyance systems that are designed to remove runoff from a site as quickly as possible and capture it in a detention basin. This approach has often led to the degradation of water quality, reduced groundwater recharge, and increased volumes of stormwater runoff, as well as the imposition of expenditures to detain and manage concentrated runoff downstream. Fortunately, the study of hydrology (the way rainfall interacts with slopes, soils, and vegetation) offers a number of alternative approaches that respect the natural environment and ultimately save money. The accompanying ordinance encourages the use of Conservation Design (CD), Low Impact Development (LID), and green infrastructure to preserve, restore and maintain pre-development hydrology on sites with planned land disturbance and development activity. The site design practices and recommendations included in this appendix provide a framework to assist developers, municipal planning commission members, and others involved in local land use planning with designing and implementing development that minimizes the impacts of stormwater runoff to local streams.

Conventionally designed development often divides a parcel into buildable lots, streets, and parking areas, while only keeping traditionally undevelopable areas (wetlands, floodplains, steep slopes) as open space. Existing site hydrology and natural features are often an afterthought in locating and designing stormwater systems. In contrast, Conservation Design and Low Impact Development practices strive to minimize landscape and natural feature disturbance to maintain a site's natural drainage patterns and flow conditions.

CD is a holistic site design process that aims to protect and maintain a site's unique natural, historic, and cultural features. CD emphasizes the protection of key land and environmental resources to maintain site hydrology; preserves and/or enhances significant concentrations of natural resources, open space, wildlife habitat, biodiversity corridors, and greenways (interconnected open space); incorporates unique natural, scenic, and historic site features into the configuration of the development; preserves the integral characteristics of the site as viewed from adjacent roads; and ensures flexibility in development design to meet community needs for complementary and aesthetically pleasing development.

LID consists of site design approaches and small-scale stormwater management practices that promote the use of natural systems for infiltration, evapotranspiration (returning moisture to the atmosphere through vegetation), and the harvest and reuse of rainwater. LID addresses the root cause of water quality impairment by managing stormwater as close to the point of generation as possible.

Together, CD and LID offer unique opportunities to balance the "carrying capacity" of the land, the human demands on the land (including land economics), and the design constraints and

opportunities of a site, which together allow for a dynamic interaction between people and the natural world. The goal is to produce a design that balances the demands of human use (scale, pattern, autonomy, privacy, views, etc.) with the requirements for a sustainable landscape (reduction in land fragmentation and use conflicts, preservation of watershed hydrology, protection of wildlife corridors and species diversity, conservation of natural resources, etc.). CD and LID are integrated development processes that respect natural site conditions and attempt to replicate and/or improve the natural hydrology of a site. The abundance of Chester County's streams and headwater areas, agricultural land (consisting of prime agricultural soils), unique aquatic and terrestrial habitat, and scenic and historic resources, argue for design approaches responsive to conservation principles.

This appendix provides information on the principles, processes, and common practices of CD and LID to assist designers and planners to achieve site designs that best maintain pre-construction stormwater runoff conditions, protect site amenities, and preserve natural resources. Components of this appendix include:

- Implementation Challenges
- Design Principles and Techniques;
- Design Process;
- Design Practices;
- Benefits of Conservation Design;
- Conclusion; and
- References.

IMPLEMENTATION CHALLENGES

Various techniques exist to accomplish the purposes of CD and LID (see the list of Design Practices starting on Page 12). However, many municipal codes currently prevent creative site design and engineering by requiring mechanical "by the numbers" development of sites. Restrictive zoning, subjective economic concerns, jurisdictional preferences, and personal tastes determine how a site is developed and how stormwater will be managed. These can pose significant impediments to the use of CD and LID. Such issues, left unaddressed, will "fail to comprehensively maintain predevelopment ecological functions at sites and fail to prevent development impacts to overall watershed ecological health" (Low Impact Development, Prince George's County, Maryland). Several examples of practices that may be limited by municipal zoning or subdivision and land development ordinances (SALDO) are presented in the Design Practices section to assist municipalities, developers, and landowners to understand how to improve the development design process to allow or require CD and LID practices.

Dialogue between developers, municipalities, and planners should be encouraged early in the design process to evaluate all potential site design options. Discussions on proposed site layouts often do not occur until after the submission of preliminary/final developments plans. At this point, substantial time and expense have already gone into the development of these plans, resulting in the reduced preference to make substantial changes or re-designs. Thus, discussions of potential site considerations between landowners, developers, municipalities, and planners early in the design process is critical to ensuring CD and LID practices are incorporated. While the

Municipalities Planning Code prevents municipalities from mandating the submission of sketch plans unless they waive preliminary or final plan requirements, voluntary submission of these plans should be encouraged. Other options also exist; for example, municipalities could mandate the sketch plan but permit a one-step preliminary/final plan submission. Moreover, this site design process emphasizes the importance of dialogue. Remaining open minded to alternative site designs, including flexibility of area and bulk standards, building types, lot sizes, and even construction standards, among others, may achieve multiple benefits, not the least of which is the protection of site hydrology and improved management of stormwater.

One of the greatest challenges to reducing the impact of development is to control the volume of stormwater runoff generated from a site. Typically, a development's increase in impervious surface contributes to reduced infiltration, evapotranspiration, and attenuation of stormwater runoff. This can result in reduced groundwater levels and lower stream baseflow during periods of dry weather and higher stream flows during and after precipitation events (which can result in increased occurrences of flooding and the erosion and destabilization of downstream streambanks). CD and LID techniques strive to prevent these problems by encouraging land development site designs that minimize post-development runoff rates and volumes and minimize needs for artificial conveyance and storage facilities. This process attempts to incorporate the desired land development into the natural hydrologic landscape in a manner that maintains and utilizes existing site hydrology features and functions to minimize generation of new stormwater runoff, thus avoiding the cumulative environmental impacts often associated with land development and reducing the need for and size of constructed stormwater facilities.

Site design practices include preserving natural drainage features, minimizing impervious surface area, reducing the hydraulic connectivity of impervious surfaces, and protecting natural depression storage. Applying this site design process helps maintain site hydrology and manage stormwater by:

- minimizing the generation of stormwater runoff (achieved by designing to the land, considering site drainage patterns and infiltration characteristics, reducing grading and compaction, and considering scale and placement of buildings); managing stormwater as close to the point of generation as possible (by disconnecting impervious surfaces, rather than collecting storm flows from all such surfaces, and distributing such flows to landscaped-based BMPs);
- providing open and vegetated channel conveyance (as needed to treat water quality, reduce velocity and infiltrate); and
- managing remaining conveyed stormwater in common open space (as needed to disperse low velocity storm flows, treat water quality, infiltrate, and release).

A well-designed site will contain a mix of all these features.

In some communities, the use of CD and LID will require a paradigm shift in how we think about and regulate development; community education, be that of residents, developers, engineers, or community officials, will be important if we are to achieve the multiple benefits offered through the use of these alternative design principles and practices.

DESIGN PRINCIPLES AND TECHNIQUES

CD and LID place significant emphasis on maintaining, mimicking, or improving the natural hydrology of land undergoing development. A site's natural hydrology refers to the drainage patterns and infiltration characteristics existing on a site. With CD and LID, effort is placed on development design that minimizes the generation of stormwater runoff. This can be achieved by designing to the land, i.e., giving consideration to site drainage patterns and site infiltration characteristics, reducing grading and compaction, and carefully considering the placement and scale of streets and buildings. Consideration of the natural drainage patterns of a site and the capacity of the site to infiltrate water are central to the concept of managing stormwater on-site.

Where stormwater is generated, the next step involves managing such storm flows as close to the source of generation as possible. This is achieved by disconnecting impervious surfaces and distributing storm flows to green infrastructure. Disconnection allows for management near the source of generation rather than the traditional approach of conveying all storm flows to a central "catch and release" facility (expensive to build and expensive to maintain). Where distributed management practices common to LID are insufficient to accommodate storm flows, CD encourages the use of open channel conveyance systems, such as vegetated channels, bioswales, and wet swales, that further manage storm flows in common open space. This multi-management approach (or four-step management process) – minimizing the generation of stormwater, landscape-based management near the point of generation, open channel conveyance, and management in common open space – is a clear advantage of CD (see Figure 1).

It should also be noted that CD is quite effective on sites with limited infiltration capability, principally, because the four-step management process builds redundancies into runoff management, seeking to achieve disconnection, using LID, providing open channel conveyance, and making use of common open space where other tools and techniques are insufficient on their own.

Figure 1

Conservation Design Principles Maintaining Site Hydrology and Managing Stormwater

Step 1 – Minimize Generation of Stormwater Runoff through Development Design: Achieved by Designing to the Land & Optimizing the Cumulative Benefits of the Site's Natural Hydrologic Features

- Consider Natural Drainage Patterns and Infiltration
 Characteristics
- Reduce Grading and Compaction by Utilizing Natural Topography
- Consider Placement and Scale of Streets and Buildings
- Minimize Land Disturbance both Surface and Subsurface
- Minimize Cumulative Area to be Covered by Impervious and Compacted Surfaces

Step 2 – Manage Stormwater as Close to the Point of Generation as Possible using Distributed LID Practices

- Take Advantage of the Natural Hydrologic Landscape to Achieve Runoff Controls
- Disconnect Impervious Surfaces
- Distribute Storm Flows to Green Infrastructure

Step 3 – Utilize Open Channel Conveyance (as needed)

Step 4 – Management in Common Open Space (or as conveyed to other green infrastructure practices)

- Integrate Management Facilities into the Natural Environment
- Incorporate Natural Site Features into the Design
- Create Site Amenities that can be Enjoyed by Residents and Provide a Community Aesthetic

No single approach is appropriate for all sites; rather, CD is a process by which to assess the appropriateness of different techniques (LID or otherwise) for different sites. The key to making CD and LID work is a willingness on the part of all involved to be flexible in how a particular site is developed. With this in mind, CD makes it possible to achieve multiple objectives, both in terms of site design (controlling peak flows, reducing total volume, and enhancing water quality), as well as those related to community (protecting natural resources, preserving habitat, interconnecting open space, providing greenways, and achieving better designed communities). (See Figure 2)

Figure 2 Common Objectives Of Conservation Design

Conservation Design practices are intended to protect environmental resources, preserve open space, and manage stormwater by respecting natural drainage patterns and infiltration characteristics.

Common Objectives

Site Design Objectives	Community Objectives
Maintain Natural Drainage Patterns	Community Commons/Greens
Preserve Water Budget and Natural Infiltration	Lots that Front or Back to Open Space
Minimize Grading – Design to the Site (Minimum Disturbance, Minimum Maintenance)	"Neighborhoods" within Neighborhoods
Reduce Need for Traditional Structural Stormwater Management Facilities (incorporate the use of Green Infrastructure)	Options for a Variety of Housing Types/Lot Sizes
Reduce Impervious Cover	Incorporate Unique Site Features into the Design (Natural/Scenic/Historic)
Preserve Natural Features & Habitat (Contiguous Open Space)	Preserve Characteristics of Site as Viewed from Adjoining Roads
Provide Open Space Linkages with Adjacent Parcels	Provide Trail Systems and/or Alternative Transportation Options

CD and LID involve identifying and prioritizing natural resources and natural and constructed hydrologic features and incorporating such features into the overall site design to take advantage of their efficiencies in hydrologic performance, their cost efficiencies of reducing the need for or size of constructed stormwater facilities, and their aesthetic amenities.

Techniques to apply Figure 1 design principles are presented in Table 1.

Conservation Design Principles	Select Design Techniques
Development Design that Minimizes the Generation of Stormwater Runoff: Achieved by Designing to the Land & Optimizing the Cumulative Benefits of the Site's Natural Hydrologic Features	 Maintain the natural soil structure and vegetative cover that are often critical components of maintaining the hydrologic functions of natural infiltration, bioretention, flow attenuation, evapotranspiration, and pollutant removal. Strive to achieve multiple stormwater objectives (i.e., maintain hydrologic regime including both peak rate and total volume control, water quality control, and temperature control. Protect, or improve, natural resources to reduce the needs for environmental mitigation, future environmental restoration, and cumulative flow and water quality impacts of unnecessary disturbances within the watershed system. Minimize the disturbance of natural surface and groundwater drainage features and patterns, discharge points and flow characteristics, natural infiltration and evapotranspiration patterns and characteristics, natural stream channel stability, and floodplain conveyance, etc. Minimize the size of individual impervious surfaces. Separate large impervious surfaces into smaller components. Avoid unnecessary impervious surfaces. Utilize porous materials where suited in lieu of impervious materials. Prioritize on-site hydrologic features (i.e., for protection, improvement, utilization, or alteration) and natural site drainage patterns and infiltration characteristics and consider them for the cornerstones of the conceptual site design. Prevent rather than minimize. Reduce grading and compaction by applying selective grading design methods to provide final grading patterns that preserve existing topography where it most benefits natural hydrologic functions and where needed; this results in graded areas that evenly distributer runoff and minimize concentrated runoff flows. Consider the scale and placement of buildings and other infrastructure to minimize impact to natural hydrologic features. Incorporate unique natural, scenic, and historic site features into the configuration of the developmen

Table 1 – Site Design Process Principles and Techniques

Conservation Design Principles	Select Design Techniques
Managing Stormwater as Close to the Point of Generation as Possible using Distributed LID Practices	 Incorporate natural hydrologic features that have been selected for their available capacity and function into the overall system of site runoff controls (protect their hydrologic and natural ecosystem functions without directing additional stormwater to them). Disconnect runoff from one impervious surface to another. Incorporate LID (or similar) green infrastructure and distribute storm flows to: Reduce runoff; Manage stormwater at or as close to the point of generation as possible; Disconnect discharges from streets and municipal storm sewer systems; and Select and design BMPs to give first priority to nonstructural and vegetated (landscape-based) BMPs, second priority to surface structural BMPs, and design subsurface BMPs as shallow as possible.
Open Channel Conveyance (as needed)	 Convey concentrated flows by means of innovative pervious vegetated channels rather than piped systems Provide open channel conveyance, as needed, to: Treat water quality; Reduce runoff velocity; and Promote infiltration and evapotranspiration of runoff.
Management in Common Open Space (or as conveyed to other green infrastructure practices)	 Rely on natural processes within the soil mantle and the plant community to the maximum extent practicable. Manage remaining conveyed stormwater from small storms in common open space areas to achieve multiple objectives: Disperse storm flows and reduce velocity; Treat water quality; and Promote infiltration and evapotranspiration of runoff. Provide for appropriate conveyance to retention or detention storage facilities as needed for flows from large storm events (as needed). Maintain open space functions consistent with common area uses (passive recreation, on-site sewage management, scenic vistas, etc). Management practices should be integrated into the natural environment and be site amenities.

The concepts presented in Figures 1 and 2, and further described in Table 1, are graphically presented below in Figures 3.1, 3.2. 3.3, 3.4, 3.5, and 3.6.


Figure 3.1: Existing conditions on a 60-acre, majority wooded parcel



Figure 3.2: Example of how the above parcel may be developed using conventional layout methods



- Provides open space linkages with adjacent parcels. Maintain contiguous open space
- Minimizes grading: Design to the site Minimum disturbance, minimum maintenance
- Preserves water budget and natural infiltration Narrow roads, smaller lots
- Reduces need for traditional structural stormwater management facilities Incorporate the use of green infrastructure Maintains natural drainage patterns
- Houses line new road, with all lots adjacent to protected open space
- Trail system
- New road leaves existing stone wall and can connect to future development on adjacent property
- · Spatial characteristics of existing farmstead maintained
- Reduced lot size (0.75 acres)

Figure 3.3: Example of a single-family development on the same parcel using the principles of Conservation Design and Low Impact Development



89 Total acres of site

33 Existing acres of woodland



- Large cul-de-sacs
- Clearing and building in riparian corridors
- Wide streets throughout
- Conventional stormwater facilities
- Natural areas significantly disturbed
- Site layout not designed to fit terrain resulting in excessive grading

Total single-family lots Acres of remaining Acres of open space (30%) woodlands

Figure 3.4: Example of how a larger parcel with a mix of open meadows, woodlands, scattered fence rows, and stream corridors may be developed using conventional layout methods. Lot sizes are approximately ³/₄ of an acre.



85

Total Single Family Homes

33

Acres of remaining woodlands

67

Acres of open space (75%)

- Provides open space linkages with adjacent parcels
- Designed to the site to minimize grading
- Narrower roads and smaller lots to reduce impervious cover
- Maintains natural drainage patterns
- Preserves natural features and habitat
- Community commons and green space
- Trail systems
- Characteristic of site preserved as viewed from adjoining roads

Figure 3.5: Example of single-family development on the same parcel using the principles of Conservation Design and Low Impact Development. Lot sizes are approximately ¹/₄ of an acre.



96 Total lots, 110 units

33

Acres of remaining woodlands

67

Acres of open space (75%)



Note: While the Conservation Design graphics shown above optimize unit types and lot sizes (and thus allow greater density), it is recognized that this type of mixed use may not be appropriate in some zoning districts. However, Conservation Design works equally well where housing diversity is not appropriate.

- Provides open space linkages with adjacent parcels
- Designed to the site to minimize grading
- Narrower roads and smaller lots to reduce impervious cover
- Maintains natural drainage patterns
- Preserves natural features and habitat
- Community commons and green space
- Trail systems
- Characteristic of site preserved as viewed from adjoining roads

Figure 3.6: Example of higher density mixed use site design on the same parcel using the principles of Conservation Design and Low Impact Development.

DESIGN PROCESS

The first step in applying CD is to identify, delineate and assess the functions of all existing natural resources and natural and constructed hydrologic features that: are located within the project site; will receive discharge from the project site; or may be impacted by runoff or disturbance from the proposed land development project. These include:

- Streams, waterways, springs, wetlands, vernal pools, and water bodies;
- Drainage patterns, conveyances, and discharge points;
- Natural infiltration areas and patterns;
- Areas of natural vegetation or woodlands that provide significant evapotranspiration, pollutant removal, bank stabilization, flow attenuation, or riparian buffer functions;
- Floodplains; and
- Other features that contribute to the overall hydrologic function and value of the site and its receiving streams.

Once this inventory and assessment are completed, these identified resources and features are then prioritized for their ability to provide hydrologic function and performance for managing runoff from the proposed site improvements. Specifically, they should be prioritized as follows:

- Those to be incorporated into the site design in a manner that provides for their protection from any disturbance or impact from the proposed land development;
- Those to be protected from further disturbance or impact and for which the proposed land development will provide improvement to existing conditions;
- Those that can be incorporated into and utilized as components of the overall site design in a manner that protects or improves their existing conditions while utilizing their hydrologic function (i.e., for infiltration, evapotranspiration, or reducing pollutant loads, runoff volume or peak discharge rates, etc.) to reduce the need for or size of constructed BMPs; and
- Those that may be considered for alteration, disturbance, or removal.

These prioritizations are then applied as the basis on which to begin the site design lay-out, grading, construction, and permanent ground cover designs to achieve the CD Principles outlined above.

Evaluating a Site Using Conservation Design Principles

The following is a suggested series of steps that landowners, developers, and municipalities can take to achieve CD goals and work together in a more effective manner. While this approach places significant emphasis on the initial phases of project design, it will strengthen support for the plan and substantially reduce the time needed for preliminary and final plan review and approval.

As stated above, the sketch plan process encouraged herein cannot be mandated by municipalities in Pennsylvania under Act 247 (Municipalities Planning Code) unless requirements for either the preliminary plan or final plan are waived. Some municipalities are doing just this by requiring sketch plans and preliminary/final plan submissions while others

"strongly encourage" sketch plans in their subdivision/land development ordinances. The Chester County Planning Commission (CCPC) reviews sketch plans at no charge and highly recommends their use. Additional information on sketch plans can be found in the Chester County Planning Commission's "Sketch Plan" eTool. Whichever approach is taken, sketch plans can be of tremendous value to the community and developer alike; in particular, sketch plans offer developers the opportunity to get municipal feedback on design prior to investing large sums in engineering design.

1. Determine Development Goals

- Define what is driving the decision to develop the property.
- Consider the site context regional, local and site characteristics of land ownership, visual patterns, cultural patterns, roadways, vegetation, wildlife habitat, topography, etc. Consider possibilities for linking other landscapes, stream corridors, critical farmland and distinctive woodland patterns; identify or establish wildlife or recreational trail corridors, etc. Consider the natural hydrology of the site how water flows over the land (the natural drainage patterns), where vegetation intercepts water, etc.

Note: Further consideration of these issues is suggested after a resource inventory and site analysis are performed.

- Clearly define the goals to work towards these are the design goals for the project. Goals could be economic and/or personal/family related, as well as visual, ecological, agricultural, historical, and educational.
- Consider the project's time schedule and that of the municipal review process.

2. Conduct an Inventory of Existing Resources - Examine the Natural/Scenic/Historic Resources and Land Use Patterns

- Determine the site context (defined above)
- Evaluate current and past land use (agriculture, wooded lot, vacant, brownfield, etc.)
- Assess wind patterns and micro-climate
- Delineate steep slopes and general topography
- Identify existing vegetative cover conditions according to general cover type, and label specimen trees and the canopy line of existing woodlands.
- Map hydrologic features and drainage patterns (wetlands, floodplains, streams, drainage swales, etc.)
- Identify scenic viewsheds (interior and exterior)

- Consider potential historic and cultural resources
- Assess soil patterns (hydric soils, prime agricultural soils, infiltration-capable soils, etc.) and vegetation patterns (landscape texture and patterns)
- Consider local zoning regulations
- Review the site for obvious land fragmentation (agricultural, natural habitat, human use, viewsheds)
- Determine the presence of endangered/threatened species and unusual habitats, critical natural areas, etc.

Other design considerations include solar exposure (seasonal changes), light patterns (shadows), sense of space (enclosed, open, mysterious) and sense of scale.

3. Undertake a Site Analysis

- Compare/overlay/combine the natural/scenic/historic resource and land use pattern information to create a general understanding of the site's opportunities and constraints, particularly as they relate to the design goals. Some initial constraints could present opportunities. Particular emphasis should be placed on site contours and existing site hydrology, e.g., drainage patterns, infiltration capability of soils, etc.
- Prepare a site analysis map that outlines the most important opportunities and constraints. The site analysis should identify both the traditionally unbuildable areas (wet, floodprone, or steep) and the most outstanding aspects of the remaining land (such as scenic vistas, natural meadows, hedgerows, mature woodlands, historic buildings or other structures, stone walls, etc.). It is important to note that CD places significant emphasis on soils (particularly the manner in which water moves across and through them). Disturbance of soils, disturbance of vegetation, and compaction all affect the ability of a site to manage stormwater. For example, while it is imperative that good draining soils be preserved to the maximum extent possible, areas of poor permeability that contain robust vegetation may function quite satisfactorily (a well-developed root zone in conjunction with established vegetation can significantly improve poor soil infiltration and permeability). Conversely, even good soils, if substantially disturbed and compacted, can become far less permeable.

Note: Although reliance on published soils data is acceptable for site analyses and conceptual planning purposes, detailed planning must include soil field sampling.

4. Create Conceptual Designs or Sketch Plans

• Use the site analysis to create conceptual designs. Consider the principles and objectives of Conservation Design as the basis for initially conceptualizing layouts (Note: some

municipalities will have a similar design process codified in their subdivision and land development ordinance referred to as the 4-step design process). List opportunities and constraints of each design element. This component involves four steps:

i) **Delineate conservation areas (based on the findings of the site analysis) and potential development areas.** Designing to the site, rather than grading to achieve a standardized product, is preferable because it accomplishes the goals of minimum disturbance/minimum maintenance (i.e., respecting the site's natural hydrology, minimizing grading and earth disturbance, etc.); such an approach can also substantially reduce construction costs. Additional emphasis should be given to the site's existing hydrology, such as drainage patterns, the location of natural swales and conveyances, and the infiltration capability of soils.

This step requires careful integration of stormwater management and CD concepts into the design of the site. Engineering stormwater solutions after a design has been selected fails to consider a key component of CD, i.e., design as an integral best management practice. For example, it is better to prevent runoff than to attempt to mitigate it once it is created. Approaches to the site design that can reduce the generation of stormwater from the outset are the most effective approach to stormwater management.

- ii) Locate desired/permitted structures (housing units, buildings, etc.) on the property (as they relate to Step 1 and the design goals). Again, Conservation Design principles should be carefully considered here. Will compact development allow for a reduction in road length? Is it possible to interconnect open space, thus permitting stormwater management close to the source of generation and creating biodiversity corridors, etc. (multiple objectives)? Can structures be located so that a majority back or front to open space?
- iii) **Connect buildings or house sites with streets (logical alignment) and trails** (where appropriate). Consider ways to reduce impervious cover (one-way streets where appropriate, planted islands in cul-de-sacs, etc.).
- iv) **Draw in lot lines for the house sites or buildings, where needed.**
- Meet with municipal officials and review plans -- what is liked, not liked, and why.
- Identify a direction for engineering and final design.

5. Formulate A Final Design (or Sketch Plan) as the Basis for an Engineered Site Plan

- Synthesize discussion of conceptual designs (sketch plans) and finalize design.
- Develop legal instruments necessary to realize plan objectives, e.g., conservation easements, deed restrictions, homeowners association, estate planning, etc. (Note: these concepts are considered throughout the design process).

6. Obtain Approvals (Follow-up)

- Obtain municipal and County buy-in of master sketch plan, and
- Proceed to Final Engineered Plan approvals.

DESIGN PRACTICES

Numerous practices and strategies can be considered where their aim is to sustain and utilize the benefits of existing site hydrology and minimize the generation of new stormwater runoff. Careful consideration of site topography and implementation of a combination of the design practices described herein may reduce the cost associated with implementing stormwater control measures. Following are brief descriptions of various practices that can be used to achieve the principles of CD and LID.

Site Layout Practices

The following site layout practices are but a few of the methods by which CD and LID can be implemented. Although municipal codes can reflect such practices, they are less functions of regimented codes and procedures than about understanding and recognizing the benefits and values that existing resources can contribute to the desired outcomes of the land development project. In many circumstances, communication among design engineers, land planning and environmental professionals, knowledgeable developers, community representatives, and regulatory authorities can promote a beneficial collective understanding about the most effective path forward to achieve optimum planning outcomes.

Preserving Natural Drainage Features. Protecting natural drainage features, particularly vegetated drainage swales and channels, is desirable because of their ability to infiltrate and attenuate flows and to filter pollutants. Unfortunately, some common land development practices encourage just the opposite pattern -- streets and adjacent storm sewers typically are located in the natural headwater valleys and swales, thereby replacing natural drainage functions with an impervious system. As a result, runoff and pollutants generated from impervious surfaces flow directly into storm sewers with no opportunity for attenuation, infiltration, or filtration. Designing developments to fit site topography retains much of the natural drainage function. In addition, designing with the land minimizes the amount of site grading, reduces the amount of compaction that can alter site infiltration characteristics, and can result in cost savings to the developer.

Protecting Natural Depression Storage Areas. Depressional storage areas have no surface outlet or drain very slowly following a storm event. They can be commonly seen as ponded areas in fields during the wet season or after large storm events. Some development practices eliminate these depressions by filling or draining, thereby eliminating their ability to reduce surface runoff volumes and trap pollutants. The volume and release-rate characteristics of depressions should be protected in the design of the development site to assist in reducing runoff volumes and reducing runoff rates. Designing around the depression or incorporating its storage as additional capacity in required detention facilities, treats this area as a site amenity rather than a detriment.

Avoiding Introduction of Impervious Areas. Reduction of impervious cover is one of the greatest benefits of CD. The combined benefits of setting aside more than half of the buildable land as open space, coupled with the resulting shorter road lengths, result in less impervious cover and less compacted soil. Building footprints, sidewalks, driveways, and other features producing impervious surfaces should be evaluated to minimize impacts on runoff. Designing a site to reduce the overall length and area of roads not only reduces total impervious cover, but also lowers municipal road maintenance and snow removal costs. In many instances, municipalities have the ability to reduce impervious cover by providing incentives or opportunities in their zoning and subdivision/ land development ordinances to reduce road width, reduce or modify cul-de-sac dimensions, reduce or modify curbing requirements, and reduce or modify sidewalk requirements. For example, curbing contributes to impervious cover and channels storm flows to inlets, thus further concentrating runoff. An alternative is to consider bioswales and/or infiltration trenches that can treat and attenuate flows coming off roadways. Where curbs are desirable, simply providing curb breaks or openings of 6-12 inches every 2-4 feet can disconnect flows and reduce concentration of runoff. Cul-de-sacs can be replaced with "hammerheads' or be designed with planted islands to reduce impervious cover (both of which can be designed to allow sufficient turning radius for emergency vehicles). In fact, planted islands in cul-de-sacs can be designed to intercept road runoff and contribute to infiltration.

Disconnecting Impervious Surfaces. Impervious surfaces are significantly less of a problem if they are not directly connected to an impervious conveyance system (such as storm sewer). Two basic ways to reduce hydraulic connectivity are routing roof runoff over lawns and reducing the use of storm sewers. Site grading should promote increasing travel time of stormwater runoff from these sources and should help reduce concentration of runoff to a single point within the project site. Along roadways, where feasible, low velocity runoff (i.e., 1-to-2-year storms) can be infiltrated in grass swales.

Routing Roof Runoff Over Lawns. Roof runoff can be easily routed over lawns in most site designs. The practice discourages direct connections of downspouts to "driveway-to-street-to-storm sewers" or parking lots. The practice also discourages sloping driveways and parking lots to the street. Crowning the driveway, to run off to the lawn, uses the lawn as a filter strip.

Reducing Street Widths. Street widths can be reduced by either eliminating on-street parking (where conditions warrant) and/or by designing roads to meet actual demand. Designers should consult with municipal officials and staff to select the narrowest practical street width for the design conditions (speed, curvature, housing density, need for on-street parking, etc.). For example, permitting one-way streets for small loop roads can reduce overall road width. Reduced street widths also can lower maintenance needs and costs. Municipalities should review their ordinances to ensure that their street requirements are not over or under designed. Although there are some situations, such as with higher density development, where on-street parking may be needed, the amount of on-street parking, and hence overall street width, should be gaged to need. For further information, see the Multi-modal Circulation Handbook prepared by the CCPC (or consult other smart street publications). Narrower neighborhood streets should be considered and encouraged under select conditions.

Reducing or Modifying Sidewalk Requirements. A sidewalk on one side of the street may suffice

in low-traffic neighborhoods. The lost sidewalk could be replaced with bicycle/recreational trails that follow back-of-lot lines as an alternative to reduced sidewalks, where appropriate. Where used, consideration should be given to constructing trails with pervious materials.

Reducing or Modifying Parking Requirements. Parking standards, particularly for nonresidential development, can be excessive. Reducing spaces to match actual demand makes sense and can significantly reduce impervious cover. In addition to or in lieu of reductions, alternatives such as shared or reserve parking should be considered. Where appropriate, stall size should also be considered and modified as needed.

Reducing Building Setbacks. Reducing building setbacks (from streets) reduces the size of impervious areas of driveways and entry walks and is most readily accomplished along low-traffic streets where traffic noise is not a problem.

Minimum Disturbance/ Minimum Maintenance. Reducing site disturbance and grading can go a long way towards reducing runoff. Sensitive site design conducive to the natural features of the site, including natural site contours, can reduce the amount of land disturbed during actual development. Often referred to as "fingerprinting," this approach identifies the limits of disturbance, which are flagged in the field. As is often the case, development sites need some grading in order to achieve development objectives. In these cases, there are often opportunities to make grading part of the solution, rather than part of the problem. Careful grading can capitalize on natural site functions to achieve stormwater management objectives. For example, grading that does occur can be incorporated into terracing or berming near existing vegetation to aid in infiltration, stormwater management and pollutant filtering.

Constructing Compact Developments using Conservation Design Principles: Lower impact, compact CD can reduce the amount of impervious area for a given number of lots. Reductions in overall infrastructure, including reduced street length, width, curbing, and parking, among others, can contribute to a reduction in development and long-term maintenance costs. Reduced site disturbance and preservation of open space help buffer sensitive natural areas and retain more of a site's natural hydrology. Development can be designed so that areas of high infiltration soils are reserved as stormwater infiltration areas. Construction activity can be focused onto less sensitive areas without affecting the gross density of development. One impediment to the use of smaller lots is where lot area impervious cover standards (as opposed to total impervious cover standards) make it difficult to locate houses, driveways, pools, septic, etc., on small lots. Where this issue arises, municipalities may want to consider reductions in, or waivers to, lot area impervious cover standards where it can be shown that total impervious cover standards can be met and a stormwater management report indicates that the coverage proposed can be managed appropriately on the site.

LID Practices and Stormwater Control Measures

Stormwater Control Measures (SCMs) are intended to supplement natural hydrology site design techniques where needed. Structural in nature, such practices include bioretention facilities, rain gardens, swales, and other engineered stormwater BMPs. Listed here are techniques intended to help manage stormwater predominantly at or near the source, rather than traditional techniques that largely release runoff over an extended period of time to adjacent properties and streams. This list, in no way exhaustive, gives examples of a few of the most common practices. It should be noted that LID aims to mimic the predevelopment site hydrology by using site design techniques

that store, infiltrate, evaporate, and detain runoff. Use of these techniques helps to reduce off-site runoff and ensure adequate groundwater recharge. Since every aspect of site development affects the hydrologic response of a site, LID control techniques focus mainly on site hydrology. LID strives to conserve existing site resources, minimize site impacts, maintain (and even extend) the time of concentration of runoff, utilize distributed management practices, and prevent pollution.

Bioretention. This type of BMP combines open space with stormwater treatment. Soil and plants, rather than sand filters, treat and store runoff. Infiltration and evapotranspiration are achieved, often coupled with an underdrain to collect water not infiltrated or used in the root zone.

Rain Gardens. Typically, rain gardens are shallow depression areas containing a mix of water tolerant native plant species. The intent is to capture runoff for storage and use in the root zone of plants. Intended largely as a way of managing stormwater through evapotranspiration (ET), rain gardens often function as infiltration facilities as well.

Vegetated Open Channel Conveyances. By reducing the use of storm sewers to drain streets, parking lots, and back yards, the potential for accelerating runoff from development can be greatly reduced. This practice requires greater use of natural or vegetated drainage swales and may not be practical for some development sites, especially if there are concerns for areas that do not drain in a "reasonable" time. The practice requires educating local citizens, who may expect runoff to disappear shortly after a rainfall event.

Permeable Paving Materials. These materials include permeable interlocking concrete paving blocks or porous bituminous concrete, among others. Such materials should be considered as alternatives to conventional pavement surfaces, especially for low use surfaces such as driveways, overflow parking lots, and emergency access roads. Surfaces for which seal coats may be applied should refrain from using permeable paving materials. Note: ongoing maintenance is required for some surfaces to minimize potential for clogging.

Residents and municipal officials of communities that utilize LID and other green technology practices often need to be informed of the benefits of such facilities. LID practices can offer enhanced stormwater control in a more naturalized setting, reduce maintenance needs and costs, provide more attractive management options, and provide opportunities for wildlife habitat. Descriptions of the benefits of such practices should be included in homeowners association documents (and conveyed to homeowners in other ways) and signage should be used to convey helpful information about the function and value of such practices.

BENEFITS OF CONSERVATION DESIGN

Studies over the past 25 years have shown that development planned according to CD principles yields significant benefits to homeowners, developers, municipalities, and local communities. Homeowners see tremendous value in the preservation of open space and the protection of natural features, even if it does not exist on their lots (National Association of Home Builders, 1991; DVRPC, 2011). Developers experience reduced construction costs and enjoy the improved marketability. Municipalities see a reduced demand for new municipal parks and receive additional revenue from improved property values. Areas preserved as open space allow for passive and active recreational opportunities and help to preserve the unique character of the site. Common

open spaces also help to foster social cohesion by providing residents with opportunities to get outside and interact with neighbors without having to drive. Ultimately, communities designed using CD planning principles are more desirable places to live, work, and play.

Given the improved sense of place and community, dollar appreciation of conservation subdivisions outpaces conventional development by upwards of 12% (The Conservation Fund, 2001). In Indiana, the use of conservation subdivision design added \$20,000 in worth to each lot without decreasing the total number of lots (ConservationTools.org). Even more compact development (quarter-acre lots) sells for more than half-acre and larger lots where open space exists. Over a 20-year period, the conservation development homes built on quarter-acre lots sold for an average \$17,000 more than their counterparts built on half-acre lots (Northeastern Illinois Planning Commission, 2003). Analyses completed as a part of Chester County's *Return on Environment* report note that in Chester County, average property values have increased by more than \$11,000 per lot for those homes located near open space (*Return on Environment*, Chester County, 2019). Furthermore, this same report identifies the reduced need for stormwater infrastructure as a major cost savings for conservation design subdivisions.

Developers see value through reduced development costs and increased unit values. In Texas, respect for the natural terrain and existing resources allowed the developer of an 80-lot development to reduce grading costs by 83% (\$250,000) compared to a conventionally-engineered plan (Growing Greening, ConservationTools.org). CD subdivisions typically cost upwards of \$7,400 less per lot to build (Environmental Law and Policy Center, 2011). Examples of cost savings to developers include:

- Reduced Site preparation costs
 - Elimination of mass re-grading
 - Decrease in erosion and sediment control measures
- Reduced Infrastructure costs
 - Reduced need for storm water basins
 - Reduced roadway lengths
 - Reduced drainage pipe installations
- Increased value of units
 - Located adjacent to open space
 - Positioned to coexist with natural resource areas

Conventional development places tremendous burdens on infrastructure and typically does not pay for itself in services provided. CD and compact development reduce the costs of infrastructure and construction, preserve open space, increase the inherent value of units over conventional development, pose greater opportunities for cost efficient housing, and offer greater protection to the environment and our waterways. And while costs to develop go down, value to homeowners and municipalities goes up.

It should also be noted that there is a distinct climate benefit to be gained from the principles of conservation design, among them: providing open land for stormwater infiltration, landscape

restoration, wildlife habitat, heat mitigation, and storm resilience, among others. The tools and techniques described herein offer important techniques by which to implement climate action plans published at the local, county and state levels (see also Chester County's Climate Action Plan and the Pennsylvania Department of Conservation and Natural Resources Climate Change Adaptation and Mitigation Plan).

CONCLUSION

The use of Conservation Design (CD), Low Impact Development (LID), and green infrastructure offers municipalities and developers opportunities to protect and enhance the hydrology of development sites, as well as address other environmental and social issues related to development. In conclusion, development designed using these principles results in a more desirable place to live.

As noted above, land development sites can be evaluated through a consensus-driven stakeholder process that seeks to determine development goals, conduct a resource inventory, undertake a site analysis, create conceptual designs (sketch plans), formulate final designs, and obtain government buy-in and approval. Flexibility by all parties allows each site to be evaluated for its unique resources and potential. Solutions emerge from early and on-going engagement among all stakeholders in a project.

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ORDINANCE APPENDIX C

RUNOFF COEFFICIENTS AND CURVE NUMBERS

TABLE C-1. RUNOFF CURVE NUMBERS

Source: Table 2-2a, Table 2-2b, and Table 2-2c from U. S. Department of Agriculture, Natural Resources Conservation Service, June 1986, <u>Urban</u> <u>Hydrology for Small Watersheds, Technical Release No. 55 (TR-55)</u>, Second Edition.

TABLE C-2. RATIONAL RUNOFF COEFFICIENTS

Source: Table F.2 from Delaware County Planning Department, December 2011, *Crum Creek Watershed Act 167 Stormwater Management Plan.*

TABLE C-3. MANNING'S 'n' VALUES

Source: Table 3-1 from United States Army Corps of Engineers, January 2010, *HEC-RAS River Analysis System, Hydraulic Reference Manual*, Version 4.1.

TABLE C-1. RUNOFF CURVE NUMBERS

(3 pages)

Source: Table 2-2a, Table 2-2b, and Table 2-2c from U. S. Department of Agriculture, Natural Resources Conservation Service, June 1986, <u>Urban</u> <u>Hydrology for Small Watersheds, Technical Release No. 55 (TR-55)</u>, Second Edition.

Table 2-2aRunoff curve numbers for urban areas 1/

Cover description			Curve nu -hvdrologic	umbers for soil group	
	Average percent		1,9 01 01 0 810	son group	
Cover type and hydrologic condition	impervious area 2/	А	В	С	D
Fully developed urban areas (vegetation established)					
Open space (lawns, parks, golf courses, cemeteries, etc.) $\frac{3}{2}$:					
Poor condition (grass cover < 50%)		68	79	86	89
Fair condition (grass cover 50% to 75%)		49	69	79	84
Good condition (grass cover > 75%)		39	61	74	80
Impervious areas:					
Paved parking lots, roofs, driveways, etc.					
(excluding right-of-way)		98	98	98	98
Streets and roads:		00	00	00	00
Paved: curbs and storm sewers (excluding					
right-of-way)		98	98	98	98
Paved: open ditches (including right-of-way)		83	89	92	93
Gravel (including right-of-way)		76	85	89	91
Dirt (including right-of-way)		72	82	87	89
Western desert urban areas:					
Natural desert landscaping (pervious areas only) 4/		63	77	85	88
Artificial desert landscaping (impervious weed barrier.					
desert shrub with 1- to 2-inch sand or gravel mulch					
and basin borders)		96	96	96	96
Urban districts:					
Commercial and business		89	92	94	95
Industrial		81	88	91	93
Residential districts by average lot size:					
1/8 acre or less (town houses)	65	77	85	90	92
1/4 acre		61	75	83	87
1/3 acre	30	57	72	81	86
1/2 acre		54	70	80	85
1 acre	20	51	68	79	84
2 acres	12	46	65	77	82
Developing unker anon					
Developing urban areas					
Newly graded areas					
(pervious areas only, no vegetation) $5^{/}$		77	86	91	94
Idle lands (CN's are determined using cover types					
similar to those in table 2-2c).					

¹ Average runoff condition, and $I_a = 0.2S$.

² The average percent impervious area shown was used to develop the composite CN's. Other assumptions are as follows: impervious areas are directly connected to the drainage system, impervious areas have a CN of 98, and pervious areas are considered equivalent to open space in good hydrologic condition. CN's for other combinations of conditions may be computed using figure 2-3 or 2-4.

³ CN's shown are equivalent to those of pasture. Composite CN's may be computed for other combinations of open space

⁴ Composite CN's for natural desert landscaping should be computed using figures 2-3 or 2-4 based on the impervious area percentage (CN = 98) and the pervious area CN. The pervious area CN's are assumed equivalent to desert shrub in poor hydrologic condition.

⁵ Composite CN's to use for the design of temporary measures during grading and construction should be computed using figure 2-3 or 2-4 based on the degree of development (impervious area percentage) and the CN's for the newly graded pervious areas.

cover type.

Table 2-2bRunoff curve numbers for cultivated agricultural lands 1/

	Cover description		Curve numbers for hydrologic soil group			
	r i i i i i i i i i i i i i i i i i i i	Hydrologic		<i>,</i>	0 1	
Cover type	Treatment ^{2/}	condition 3/	А	В	С	D
Fallow	Bare soil	_	77	86	91	94
	Crop residue cover (CR)	Poor	76	85	90	93
	•	Good	74	83	88	90
Row crops	Straight row (SR)	Poor	72	81	88	91
-		Good	67	78	85	89
	SR + CR	Poor	71	80	87	90
		Good	64	75	82	85
	Contoured (C)	Poor	70	79	84	88
		Good	65	75	82	86
	C + CR	Poor	69	78	83	87
		Good	64	74	81	85
	Contoured & terraced (C&T)	Poor	66	74	80	82
		Good	62	71	78	81
	C&T+ CR	Poor	65	73	79	81
		Good	61	70	77	80
Small grain	SR	Poor	65	76	84	88
<u> </u>		Good	63	75	83	87
	SR + CR	Poor	64	75	83	86
		Good	60	72	80	84
	С	Poor	63	74	82	85
		Good	61	73	81	84
	C + CR	Poor	62	73	81	84
		Good	60	72	80	83
	C&T	Poor	61	72	79	82
		Good	59	70	78	81
	C&T+ CR	Poor	60	71	78	81
		Good	58	69	77	80
Close-seeded	SR	Poor	66	77	85	89
or broadcast		Good	58	72	81	85
legumes or	С	Poor	64	75	83	85
rotation		Good	55	69	78	83
meadow	C&T	Poor	63	73	80	83
		Good	51	67	76	80

 $^{\rm 1}$ Average runoff condition, and $I_a{=}0.2{\rm S}$

 2 Crop residue cover applies only if residue is on at least 5% of the surface throughout the year.

³ Hydraulic condition is based on combination factors that affect infiltration and runoff, including (a) density and canopy of vegetative areas, (b) amount of year-round cover, (c) amount of grass or close-seeded legumes, (d) percent of residue cover on the land surface (good \geq 20%), and (e) degree of surface roughness.

Poor: Factors impair infiltration and tend to increase runoff.

Good: Factors encourage average and better than average infiltration and tend to decrease runoff.

Table 2-2cRunoff curve numbers for other agricultural lands 1/

Cover description		Curve numbers for hydrologic soil group			
Cover type	Hydrologic condition	А	B	C	D
Pasture, grassland, or range—continuous forage for grazing. ² /	Poor Fair Good	68 49 39	79 69 61	86 79 74	89 84 80
Meadow—continuous grass, protected from grazing and generally mowed for hay.	_	30	58	71	78
Brush—brush-weed-grass mixture with brush the major element. \mathcal{Y}	Poor Fair Good	48 35 30 4⁄	$67 \\ 56 \\ 48$	77 70 65	83 77 73
Woods—grass combination (orchard or tree farm). $5/$	Poor Fair Good	57 43 32	73 65 58	82 76 72	86 82 79
Woods. 🗹	Poor Fair Good	45 36 30 4⁄	66 60 55	77 73 70	83 79 77
Farmsteads—buildings, lanes, driveways, and surrounding lots.	—	59	74	82	86

¹ Average runoff condition, and $I_a = 0.2S$.

² *Poor:* <50%) ground cover or heavily grazed with no mulch.
 Fair: 50 to 75% ground cover and not heavily grazed.

Good: > 75% ground cover and lightly or only occasionally grazed.

Poor: <50% ground cover.

3

Fair: 50 to 75% ground cover.

Good: >75% ground cover.

 4 $\,$ Actual curve number is less than 30; use CN = 30 for runoff computations.

⁵ CN's shown were computed for areas with 50% woods and 50% grass (pasture) cover. Other combinations of conditions may be computed from the CN's for woods and pasture.

⁶ *Poor:* Forest litter, small trees, and brush are destroyed by heavy grazing or regular burning. *Fair:* Woods are grazed but not burned, and some forest litter covers the soil. *Good:* Woods are protected from grazing, and litter and brush adequately cover the soil.

TABLE C-2. RATIONAL RUNOFF COEFFICIENTS (1 page)

(1 page)

Source: Table F.2 from Delaware County Planning Department, December 2011, *Crum Creek Watershed Act 167 Stormwater Management Plan.*

TABLE F-2

RATIONAL RUNOFF COEFFICIENTS

		HYDROLOGIC SOIL GROU		ROUP	
LAND USE DESCRIPTION		А	В	С	D
Cultivated land : without conservation	tion treatment	.49	.67	.81	.88
: with conservation	treatment	.27	.43	.61	.67
Pasture or range land: poor conditi	on	.38	.63	.78	.84
: good condition		*	.25	.51	.65
Meadow: good condition		*	*	.44	.61
Woods: thin stand, poor cover, no	mulch	*	.34	.59	.70
: good cover		*	*	.45	.59
Open spaces, lawns, parks, golf co	urses, cemeteries				
Good condition: grass cover	on 75% or more of	*	.25	.51	.65
the area					
Fair condition: grass cover of	on 50% to 75% of	*	.45	.63	.74
the area					
Commercial and business areas (85	5% impervious)	.84	.90	.93	.96
Industrial districts (72% imperviou	ıs)	.67	.81	.88	.92
Residential:					
Average lot size Ave	rage % impervious				
1/8 acre or less	65	.59	.76	.86	.90
1/4 acre	38	.25	.49	.67	.78
1/3 acre	30	*	.49	.67	.78
1/2 acre	25	*	.45	.65	.76
1 acre	20	*	.41	.63	.74
Paved parking lots, roofs, driveways, etc.		.99	.99	.99	.99
Streets and roads:					
Paved with curbs and storm s	sewers	.99	.99	.99	.99
Gravel		.57	.76	.84	.88
Dirt		.49	.69	.80	.84

Notes: Values are based on SCS definitions and are average values.

Values indicated by ---* should be determined by the design engineer based on site characteristics.

Source : New Jersey Department of Environmental Protection, Technical Manual for Stream Encroachment, August 1984

TABLE C-3. MANNING'S 'n' VALUES
(3 pages)

Source: Table 3-1 from United States Army Corps of Engineers, January 2010, <u>*HEC-RAS River Analysis System, Hydraulic Reference Manual*</u>, Version 4.1.

Table 3-1 Manning's 'n' Values

	Type of Channe	el and Description	Minimum	Normal	Maximum
A. Nat	ral Streams				
1. Mai	Channels				
a.	Clean, straight, full, no rifts	or deep pools			
b.	same as above, but more st	ones and weeds	0.025	0.030	0.033
с.	Clean, winding, some pools	and shoals	0.030	0.035	0.040
d.	Same as above, but some w	eeds and stones	0.033	0.040	0.045
e.	ame as above, lower stages	, more ineffective slopes and	0.035	0.045	0.050
sec	tions		0.040	0.048	0.055
f. S	ame as "d" but more stones		0.045	0.050	
g.	luggish reaches, weedy. de	ep pools	0.045	0.050	0.060
h.	ery weedy reaches, deep p	ools, or floodways with heavy stands	0.050	0.070	0.080
of	imber and brush		0.070	0.100	0.150
2 Floo	Plains				
2. 1100	Pasture no brush				
a.	1 Short grass		0.025	0.030	0.035
	2 High grass		0.030	0.035	0.050
h	Cultivated areas				
υ.	1 No crop		0.020	0.030	0.040
	2 Mature row crow	25	0.025	0.035	0.045
	3 Mature field cro	ns	0.030	0.040	0.050
c	Brush	ps	•		
0.	1 Scattered brush	heavy weeds	0.035	0.050	0.070
	2 Light brush and	trees in winter	0.035	0.050	0.060
	3 Light brush and	trees in summer	0.040	0.060	0.080
	4 Medium to dens	e brush in winter	0.045	0.070	0.110
	5 Medium to dens	e brush, in summer	0.070	0.100	0.160
d	Trees	e orash, m sammer			
ч.	1 Cleared land wi	h tree stumps no sprouts	0.030	0.040	0.050
	2 Same as above	hut heavy sprouts	0.050	0.060	0.080
	3 Heavy stand of	timber few down trees little	0.080	0.100	0.120
	undergrowth fl	w below branches			
	4 Same as above	but with flow into branches	0.100	0.120	0.160
	5 Dense willows	summer straight			
			0.110	0.150	0.200
3 Morr	tain Strooms no verstat!	n in showed barbarran			
with t	rees and brush on banks s	ubmerged			
a.	Bottom: gravels, cobbles.	and few boulders			
b.	Bottom: cobbles with large	boulders	0.030	0.040	0.050
	8	······································	0.040	0.050	0.070

Type of Channel and Description	Minimum	Normal	Maximum
B. Lined or Built-Up Channels			
1. Concrete			
a. Trowel finish	0.011	0.013	0.015
b. Float Finish	0.013	0.015	0.015
c. Finished, with gravel bottom	0.015	0.017	0.020
d. Unfinished	0.014	0.017	0.020
e. Gunite, good section	0.016	0.019	0.020
f. Gunite, wavy section	0.018	0.022	0.025
g. On good excavated rock	0.017	0.020	0.025
h. On irregular excavated rock	0.022	0.027	
2. Concrete bottom float finished with sides of:			
a. Dressed stone in mortar	0.015	0.017	0.020
b. Random stone in mortar	0.017	0.020	0.024
c. Cement rubble masonry, plastered	0.016	0.020	0.024
d. Cement rubble masonry	0.020	0.025	0.030
e. Dry rubble on riprap	0.020	0.030	0.035
3. Gravel bottom with sides of:			
a. Formed concrete	0.017	0.020	0.025
b. Random stone in mortar	0.020	0.023	0.025
c. Dry rubble or riprap	0.023	0.033	0.036
4. Brick			
a. Glazed	0.011	0.013	0.015
b. In cement mortar	0.012	0.015	0.015
5. Metal			
a. Smooth steel surfaces	0.011	0.012	0.014
b. Corrugated metal	0.021	0.025	0.014
6. Asphalt			
a. Smooth	0.013	0.013	
b. Rough	0.015	0.016	
7. Vegetal lining	0.030		0.500

Table 3-1 (Continued) Manning's 'n' Values

Table 3-1 (Continued) Manning's 'n' Values

	Type of Channel and Description	Minimum	Normal	Maximum
C. Exca	avated or Dredged Channels			
1. Eart	h, straight and uniform			
a.	Clean, recently completed	0.016	0.018	0.020
b.	Clean, after weathering	0.018	0.022	0.025
с.	Gravel, uniform section, clean	0.022	0.025	0.030
d.	With short grass, few weeds	0.022	0.027	0.033
2. Eart	h, winding and sluggish			
a.	No vegetation	0.023	0.025	0.030
b.	Grass, some weeds	0.025	0.030	0.033
c.	Dense weeds or aquatic plants in deep channels	0.030	0.035	0.040
d.	Earth bottom and rubble side	0.028	0.030	0.035
e.	Stony bottom and weedy banks	0.025	0.035	0.040
f.	Cobble bottom and clean sides	0.030	0.040	0.050
3. Drag	line-excavated or dredged			
a.	No vegetation	0.025	0.028	0.033
b.	Light brush on banks	0.035	0.050	0.060
4. Rock	c cuts			
a.	Smooth and uniform	0.025	0.035	0.040
b.	Jagged and irregular	0.035	0.040	0.050
5. Char	nels not maintained, weeds and brush			
a.	Clean bottom, brush on sides	0.040	0.050	0.080
b.	Same as above, highest stage of flow	0.045	0.070	0.110
c.	Dense weeds, high as flow depth	0.050	0.080	0 120
d.	Dense brush, high stage	0.080	0.100	0.140

Other sources that include pictures of selected streams as a guide to n value determination are available (Fasken, 1963; Barnes, 1967; and Hicks and Mason, 1991). In general, these references provide color photos with tables of calibrated n values for a range of flows.

Although there are many factors that affect the selection of the n value for the channel, some of the most important factors are the type and size of materials that compose the bed and banks of a channel, and the shape of the channel. Cowan (1956) developed a procedure for estimating the effects of these factors to determine the value of Manning's n of a channel. In Cowan's procedure, the value of n is computed by the following equation:

ORDINANCE APPENDIX D

WEST NILE VIRUS DESIGN GUIDANCE

WEST NILE VIRUS GUIDANCE

(This source is from the Monroe County, PA Conservation District that researched the potential of West Nile Virus problems from BMPs due to a number of calls they were receiving)

Monroe County Conservation District Guidance: Stormwater Management and West Nile Virus

Source: Brodhead McMichaels Creeks Watershed Act 167 Stormwater Management Ordinance Final Draft 2/23/04

The Monroe County Conservation District recognizes the need to address the problem of nonpoint source pollution impacts caused by runoff from impervious surfaces. The new stormwater policy being integrated into Act 167 stormwater management regulations by the PA Department of Environmental Protection (PADEP) will make nonpoint pollution controls an important component of all future plans and updates to existing plans. In addition, to meet postconstruction anti-degradation standards under the state National Pollutant Discharge Elimination System (NPDES) permitting program, applicants will be required to employ Best Management Practices (BMPs) to address nonpoint pollution concerns.

Studies conducted throughout the United States have shown that wet basins and in particular constructed wetlands are effective in traditional stormwater management areas such as channel stability and flood control and are one of the most effective ways to remove stormwater pollutants (United States Environmental Protection Agency 1991, Center for Watershed Protection 2000). From Maryland to Oregon, studies have shown that as urbanization and impervious surfaces increase in a watershed, the streams in those watersheds become degraded (CWP 2000). Although there is debate over the threshold of impervious cover when degradation becomes apparent (some studies show as little as 6% while others show closer to 20%), there is agreement that impervious surfaces cause nonpoint pollution in urban and urbanizing watersheds and that degradation is ensured if stormwater BMPs are not implemented.

Although constructed wetlands and ponds are desirable from a water quality perspective, there may be concerns about the possibility of these stormwater management structures becoming breeding grounds for mosquitoes. The Conservation District feels that although it may be a valid concern, **municipalities should not adopt ordinance provisions prohibiting wet basins for stormwater management.**

Mosquitoes

The questions surrounding mosquito production in wetlands and ponds have intensified in recent years by the outbreak of the mosquito-borne West Nile Virus. As is the case with all vector-borne maladies, the life cycle of West Nile Virus is complicated, traveling from mosquito to bird, back to mosquito, and then to other animals including humans. *Culex pipiens* was identified as the vector species in the first documented cases from New York in 1999. This species is still considered the primary transmitter of the disease across its range. Today there are some 60 species of mosquitoes that inhabit Pennsylvania. Along with *C. pipiens*, three other species have been identified as vectors of West Nile Virus while four more have been identified as potential vectors.

The four known vectors in NE Pennsylvania are *Culex pipiens*, *C. restuans*, *C. salinarius*, and *Ochlerotatus japonicus*. All four of these species prefer, and almost exclusively use, artificial containers (old tires, rain gutters, birdbaths, etc.) as larval habitats. In the case of *C. pipiens*, the most notorious of the vector mosquitoes, the dirtier the water, the better they like it. The important factor is that these species do not thrive in functioning wetlands where competition for resources and predation by larger aquatic and terrestrial organisms is high.

The remaining four species, *Aedes vexans*, *Ochlerotatus Canadensis*, *O. triseriatus*, and *O. trivittatus*, are currently considered potential vectors due to laboratory tests (except the *O. trivittatus*, which did have one confirmed vector pool for West Nile Virus in PA during 2002). All four of these species prefer vernal habitats and ponded woodland areas following heavy summer rains. These species may be the greatest threat of disease transmission around stormwater basins that pond water for more than four days. This can be mitigated, however, by establishing ecologically functioning wetlands.

Stormwater Facilities

If a stormwater wetland or pond is constructed properly and a diverse ecological community develops, mosquitoes should not become a problem. Wet basins and wetlands constructed as stormwater management facilities should be designed to attract a diverse wildlife community. If a wetland is planned, proper hydrologic soil conditions and the establishment of hydrophytic vegetation will promote the population of the wetland by amphibians and other mosquito predators. In natural wetlands, predatory insects and amphibians are effective at keeping mosquito populations in check during the larval stage of development while birds and bats prey on adult mosquitoes.

The design of a stormwater wetland must include the selection of hydrophytic plant species for their pollutant uptake capabilities and for not contributing to the potential for vector mosquito breeding. In particular, species of emergent vegetation with little submerged growth are preferable. By limiting the vegetation growing below the water surface, larvae lose protective cover, and there is less chance of anaerobic conditions occurring in the water.

Stormwater ponds can be designed for multiple purposes. When incorporated into an open space design, a pond can serve as a stormwater management facility and a community amenity. Aeration fountains and stocked fish should be added to keep larval mosquito populations in check.

Publications from the PA Department of Health and the Penn State Cooperative Extension concerning West Nile Virus identify aggressive public education about the risks posed by standing water in artificial containers (tires, trash cans, rain gutters, bird baths) as the most effective method to control vector mosquitoes.

Conclusion

The Conservation District understands the pressure faced by municipalities when dealing with multifaceted issues such as stormwater management and encourages the incorporation of water quality management techniques into stormwater designs. As Monroe County continues to grow, conservation design, infiltration, and constructed wetlands and ponds should be among the preferred design options to reduce the impacts of increases in impervious surfaces. When designed and constructed appropriately, the runoff mitigation benefits to the community from these design options will far outweigh their potential to become breeding grounds for mosquitoes.

ORDINANCE APPENDIX E

STORMWATER BEST MANAGEMENT PRACTICES AND CONVEYANCES OPERATION AND MAINTENANCE AGREEMENT

SAMPLE AGREEMENT

NOTE: This was written to serve as a <u>sample</u> agreement between the Municipality and the landowner who will be responsible for the inspection, operation and maintenance of stormwater BMPs and man-made Conveyances. <u>Applicants must contact the Municipality to verify the agreement required for any particular project.</u>

REVISED Chester County Water Resources Authority June 2, 2022

Prepared By: Insert Preparer's Name	LEAVE BLANK For Recorder's Use Only
Insert Preparer's Address Line 1	
Insert Preparer's Address Line 2 Insert Preparer's Phone Number	
Return To:	
Insert Municipality's Name Insert Municipality's Address Line 1	
Insert Municipality's Address Line 2 Insert Municipality's Phone Number	
UPI#: Insert UPI(s) of properties with BMPs and/or Conveyances for the O&M Agreement Property Street Address: Insert the street address of the property	

STORMWATER BEST MANAGEMENT PRACTICES (BMPs) AND CONVEYANCES OPERATION AND MAINTENANCE AGREEMENT

THIS AGRE	EMENT, made and entered into this _	day of _	, 20, by
and between _		, (hereinafter the	"Landowner"), and
, Chester Co		ounty, Pennsylvania, (h	ereinafter

"Municipality");

WITNESSETH

WHEREAS, the Landowner is the owner of certain real property by virtue of a deed of Conveyance recorded in the land records of Chester County, Pennsylvania, at Deed Book ______ and Page _____, (hereinafter "Property"); and

WHEREAS, the Landowner is proceeding to build and develop the Property; and

WHEREAS, the <u>Stormwater Best Management Practices (hereinafter BMP(s)) and Conveyances</u> Operations and Maintenance Plan OR Simplified Approach Stormwater Management Site Plan _______(title of approved plans) approved by the Municipality ______(date) (hereinafter referred to as the "Plan") for the Property, which is attached hereto as Appendix A and made part hereof, provides for management of stormwater within the confines of the Property through the use of BMP(s) and Conveyances; and

WHEREAS, the Municipality and the Landowner, for itself and its administrators, executors, successors, heirs, and assigns, agree that the health, safety, and welfare of the residents of the Municipality and the protection and maintenance of water quality require that stormwater BMP(s) and Conveyances be constructed and maintained on the Property; and

WHEREAS, for the purposes of this agreement, the following definitions shall apply:

BMP – "Best Management Practice" – Activities, facilities, designs, measures, or procedures as specifically identified in the Plan, used to manage stormwater impacts from Regulated Activities to provide water quality treatment, infiltration, volume reduction, and/or peak rate control, to promote groundwater recharge, and to otherwise meet the purposes of the Municipality's Stormwater Management Ordinance. Stormwater BMPs are commonly grouped into one (1) of two (2) broad categories or measures: "structural" or "nonstructural." Nonstructural BMPs or measures refer to low impact development and conservation design practices used to minimize the contact of pollutants with stormwater runoff. These practices aim to limit the total volume of stormwater runoff and manage stormwater at its source by techniques such as protecting natural systems and incorporating existing landscape features. Nonstructural BMPs include, but are not limited to, the protection of sensitive and special value features such as wetlands and riparian areas, the preservation of open space while clustering and concentrating development, the reduction of impervious cover, and the disconnection of downspouts from storm sewers. Structural BMPs are those that consist of a constructed system that is designed and engineered to capture and treat stormwater runoff. Structural BMPs are those that consist of a physical system that is designed and engineered to capture and treat stormwater runoff. Structural BMPs include, but are not limited to, a wide variety of practices and devices from large-scale retention ponds and constructed wetlands to small-scale underground treatment systems, infiltration facilities, filter strips, bioretention, wet ponds, permeable paving, grassed swales, riparian buffers, sand filters, detention basins, and other manufactured devices designed to mitigate stormwater impacts. The BMPs identified in the Plan are permanent appurtenances to the Property; and

Conveyance – As specifically identified in the Plan, a manmade, existing or proposed facility, feature or channel used for the transportation or transmission of stormwater from one place to another, including pipes, drainage ditches, channels and swales (vegetated and other), gutters, stream channels, and like facilities or features. The Conveyances identified in the Plan are permanent appurtenances to the Property; and

WHEREAS, the Municipality requires, through the implementation of the Plan, that stormwater management BMPs and conveyances, as required by the Plan and the Municipality's Stormwater Management Ordinance, be constructed and adequately inspected, operated and maintained by the Landowner or their designee.

NOW, THEREFORE, in consideration of the foregoing promises, the mutual covenants contained herein, and the following terms and conditions, the parties hereto, intending to be legally bound hereby, agree as follows:

1. The foregoing recitals to this Agreement are incorporated as terms of this Agreement as if fully set forth in the body of this Agreement.

2. The Landowner shall construct the BMP(s) and Conveyance(s) in accordance with the <u>final</u> stormwater management site plans and specifications OR Simplified Approach Stormwater <u>Management Site Plan</u> as approved by the Municipality in the Plan.

3. Upon completion of construction, the Landowner shall be responsible for completing final As-Built Plans of all BMPs, Conveyances, or other stormwater management facilities included in the approved stormwater management site plan as per the requirements of Section 502 of the Stormwater Management Ordinance.

4. The Landowner shall inspect, operate and maintain the BMP(s) and Conveyance(s) as shown on the Plan in good working order acceptable to the Municipality and in accordance with the specific inspection and maintenance requirements in the approved Plan and the current version of the Pennsylvania Stormwater BMP Manual, as amended.

5. The Landowner hereby grants permission to the Municipality, its authorized agents and employees, to enter upon the Property from a public right-of-way or roadway, at reasonable times and upon presentation of proper identification, to inspect the BMP(s) and Conveyance(s) whenever it deems necessary for compliance with this Agreement, the Plan and the Municipality's Stormwater Management Ordinance. Whenever possible, the Municipality shall notify the Landowner prior to entering the Property.

6. The Landowner shall inspect the BMP(s) and Conveyance(s) to determine if they continue to function as intended.

7. The BMP(s) and Conveyance(s) shall be inspected according to the following frequencies, at a minimum:

- a. Annually for the first 5 years.
- b. Once every 3 years thereafter.
- c. During or immediately after the cessation of a 10-year or greater storm, as determined by the Municipal Engineer. Inspection reports for inspections during or after the cessation of a 10-year or greater storm event are only required to be submitted to the Municipality if requested by the Municipality or Municipal Engineer.

Written inspection reports shall be created to document each inspection. The inspection report shall contain the date and time of the inspection, the individual(s) who completed the inspection, the location of the BMP, facility or structure inspected, observations on performance, and recommendations for improving performance, if applicable. Inspection reports shall be submitted to the Municipality within 30 days following completion of the inspection.

Landowners must notify the Municipality of BMP(s) and Conveyance(s) that are no longer functioning as designed and must coordinate with the Municipality to determine a schedule to repair or retrofit these systems to restore designed functionality.

8. The Landowner acknowledges that, per the Municipality's Stormwater Ordinance, it is unlawful, without written approval of the Municipality, to:

a. Modify, remove, fill, landscape, alter or impair the effectiveness of any BMP or Conveyance that is constructed as part of the approved Plan;

- b. Place any structure, fill, landscaping, additional vegetation, yard waste, brush cuttings, or other waste or debris into a BMP or Conveyance that would limit or alter the functioning of the BMP or Conveyance;
- c. Allow the BMP or Conveyance to exist in a condition which does not conform to the approved Plan or this Agreement; and
- d. Dispose of, discharge, place or otherwise allow pollutants including, but not limited to, deicers, pool additives, household chemicals, and automotive fluids to directly or indirectly enter any BMP or Conveyance.

9. In the event that the Landowner fails to operate and maintain the BMP(s) and Conveyance(s) as shown on the Plan in good working order acceptable to the Municipality, the Landowner shall be in violation of this Agreement, and the Landowner agrees that the Municipality or its representatives may, in addition to and not in derogation or diminution of any remedies available to it under the Stormwater Ordinance or other statutes, codes, rules or regulations, or this Agreement, enter upon the Property and take whatever action is deemed necessary to maintain said BMP(s) and Conveyance(s). It is expressly understood and agreed that the Municipality is under no obligation to maintain or repair said facilities, and in no event shall this Agreement be construed to impose any such obligation on the Municipality.

10. In the event that the Municipality, pursuant to this Agreement, performs work of any nature or expends any funds in performance of said work for inspection, labor, use of equipment, supplies, materials, and the like, the Landowner shall reimburse the Municipality for all expenses (direct and indirect) incurred within [____] days of delivery of an invoice from the Municipality. Failure of the Landowner to make prompt payment to the Municipality may result in enforcement proceedings, which may include the filing of a lien against the Property, which filing is expressly authorized by the Landowner.

11. The intent and purpose of this Agreement is to ensure the proper maintenance of the on-site BMP(s) and Conveyance(s) by the Landowner; provided, however, that this Agreement shall not be deemed to create or affect any additional liability on any party for damage alleged to result from or be caused by stormwater runoff.

12. The Landowner, for itself and its executors, administrators, assigns, heirs, and other successors in interest, hereby releases and shall release the Municipality's employees, its agents and designated representatives from all damages, accidents, casualties, occurrences, or claims which might arise or be asserted against said employees, agents or representatives arising out of the construction, presence, existence, or maintenance of the BMP(s) and Conveyance(s) either by the Landowner or Municipality. In the event that a claim is asserted or threatened against the Municipality, its employees, agents or designated representatives, the Municipality shall notify the Landowner, and the Landowner shall defend, at his own expense, any claim, suit, action or proceeding, or any threatened claim, suit, action or proceeding against the Municipality, or, at the request of the Municipality, pay the cost, including attorneys' fees, of defense of the same undertaken on behalf of the Municipality. If any judgment or claims against the Municipality's employees, agents or claims and any costs and expenses incurred by the Municipality, including attorneys' fees, regarding said damages, judgments or claims.
13. The Municipality may enforce this Agreement in accordance with its Stormwater Ordinance, at law or in equity, against the Landowner for breach of this Agreement. Remedies may include fines, penalties, damages or such equitable relief as the parties may agree upon or as may be determined by a Court of competent jurisdiction. Recovery by the Municipality shall include its reasonable attorneys' fees and costs incurred in seeking relief under this Agreement.

14. Failure or delay in enforcing any provision of this Agreement shall not constitute a waiver by the Municipality of its rights of enforcement hereunder.

15. The Landowner shall inform future buyers of the Property about the function of, operation, inspection and maintenance requirements of the BMP(s) prior to the purchase of the Property by said future buyer, and upon purchase of the Property the future buyer assumes all responsibilities as Landowner and must comply with all components of this Agreement.

16. This Agreement shall inure to the benefit of and be binding upon the Municipality and the Landowner, as well as their heirs, administrators, executors, assigns and successors in interest.

This Agreement shall be recorded at the Office of the Recorder of Deeds of Chester County, Pennsylvania, and shall constitute a covenant running with the Property, in perpetuity.

WITNESS the following signatures and seals:

ATTEST:

(SEAL)

For the Municipality:

(SEAL)

For the Landowner:

ATTEST:

_(City, Borough, Township)

By Individual:

State of _____

County of _____

On this _____ day of _____, 20_. Before me, the undersigned officer, personally appeared ______, known to me (or satisfactorily proven) to be person whose name(s) is/are subscribed to the within instrument and acknowledged that _____ executed the same for the purpose therein contains.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

Notary Public

My commission expires:

By the Company:

State of _____

County of _____

On this ______ day of ______, 20___, before me, the undersigned officer, personally appeared _______, who acknowledged himself/herself to be _______ of ______, a _____, and that he/she being authorized to do so, executed the forgoing instrument for the purpose therein contained by signing the name of the Company by herself/himself as______.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

Notary Public

My commission expires: