

HONEY BROOK TOWNSHIP
CHESTER COUNTY, PA
ORDINANCE #171 - 2014

AN ORDINANCE OF THE TOWNSHIP OF HONEY BROOK AMENDING THE HONEY BROOK TOWNSHIP SUBDIVISION AND LAND DEVELOPMENT ORDINANCE, AS AMENDED, TO AMEND MISCELLANEOUS DEFINITIONS AND STORMWATER REQUIREMENTS TO BE CONSISTENT WITH OTHER TOWNSHIP ORDINANCES AND TO CORRECT REFERENCES TO OTHER ORDINANCES.

SECTION 1. Amend §22-202, *Definitions*, by

1. Deleting the term “*Caraway*” and replacing it with “*Cartway*” and maintaining the existing definition.
2. Deleting the existing definition of “*DBH*” in its entirety.
3. Deleting the existing definition of “*Detention Basin*” and replacing it with “*Detention Basin* – An impoundment designed to collect and retard stormwater runoff by temporarily storing the runoff and releasing it at a predetermined rate. Detention basins are designed to drain completely shortly after any given rainfall event.”
4. Adding, after the definition for “*Development agreement*” and before “*Drainage Area*”, the following definition: “*Diameter at Breast Height (DBH)* – The outside bark diameter of a tree at breast height which is defined as four and one half (4.5) feet above the forest floor on the uphill side of the tree.”
5. Deleting the existing definition of “*Drainage area*” and replacing it with the following: “*Drainage Area* - That land area contributing runoff to a single point (including but not limited to the point/line of interest used for hydrologic and hydraulic calculations) and that is enclosed by a natural or man-made ridge line.”
6. Deleting the existing definition of “*Drainage facility*” in its entirety.
7. Deleting the existing definitions of “*Earthmoving activity*” and “*Earth disturbance, regulated*” in their entirety.
8. Adding the following definition of “*Earth disturbance*” after “*Dwelling*” and before “*Easement*,” “*Earth disturbance (or Earth disturbance activity)* – A construction or other human activity which disturbs the surface of the land, including, but not limited to, clearing and grubbing; grading; excavations; embankments; road maintenance; land development; building construction; and the moving, depositing, stockpiling, or storing of soil, rock, or earth materials.”
9. Deleting the existing definition of “*Erosion*” and replacing it with the following: “*Erosion* – The process by which the surface of the land, including water/stream channels, is worn away by water, wind, or chemical action.”
10. Deleting the existing definition of “*Floodplain*” in its entirety and replacing it with “*Floodplain* - Any land area susceptible to inundation by water from any natural source or delineated by applicable FEMA maps and studies as being a Special Flood Hazard Area.”

11. Deleting the existing definition of "*Impervious surface*" and replace it with the following:
"*Impervious Surface* - A surface that has been compacted or covered with a layer of material so that it prevents or is resistant to infiltration of water, including but not limited to: structures such as roofs, buildings, storage sheds; other solid, paved or concrete areas such as streets, driveways, sidewalks, parking lots, patios, tennis or other paved courts; or athletic playfields comprised of synthetic turf materials. For the purposes of determining compliance with this Ordinance, compacted soils or stone surfaces used for vehicle parking and movement shall be considered impervious. Surfaces that were designed to allow infiltration (i.e. areas of porous pavement) will be considered on a case-by-case basis by the Municipal Engineer, based on appropriate documentation and condition of the material, etc."
12. Deleting, within the definition of "*Improvements*", the words "storm drainage lines, stormwater management structures" and replacing it with "stormwater management facilities".
13. Adding a definition of "*Infiltration facility*" between the definitions of "*Improvements, Public*" and "*Land Development*" to read "*Infiltration Facility* – A stormwater BMP designed to collect and discharge runoff into the subsurface in a manner that allows infiltration into underlying soils and groundwater (e.g., French drains, seepage pits, or seepage trenches, etc.)."
14. Deleting the existing definition of "*Land Disturbance*" and replacing it with "*Land disturbance* – See Earth Disturbance".
15. In the definition of "*Minimize*", replace the words "earthmoving activities" with "earth disturbance activities".
16. Deleting the existing definition of "*Municipalities Planning Code*" and replacing it with "*Municipalities Planning Code (MPC)* - Act of July 31, 1968, P.L. 805, No. 247, 53 P.S. Section 10101, et seq., as amended, the Pennsylvania Municipalities Planning Code, Act 247."
17. Deleting the existing definition of "*Retention basin*" and replacing it with "*Retention basin* - An impoundment that is designed to temporarily detain a certain amount of stormwater from a catchment area and which may be designed to permanently retain stormwater runoff from the catchment area; retention basins always contain water."
18. Deleting the existing definition of "*Runoff*" and replacing it with "*Runoff* - Any part of precipitation that flows over the land surface."
19. Deleting the existing definition of "*Sediment*" and replacing it with "*Sediment* – Soil or other materials transported by, suspended in or deposited by surface water as a product of erosion."
20. Deleting the existing definition of "*Stormwater*" and replacing it with "*Stormwater* – Drainage runoff from the surface of the land resulting from precipitation or snow or ice melt."
21. Deleting the existing definition of "Stormwater management detention facility" in its entirety.
22. Adding a definition of "*Stormwater management facility*" between the definitions of "*Stormwater*" and "*Street*" to read: "*Stormwater management facility* – Any feature, natural or man-made, that, due to its condition, design, or construction, conveys, stores, or otherwise affects stormwater runoff quality, rate, or quantity. Typical stormwater management facilities include, but are not limited to, detention and retention basins, open channels, storm sewers, pipes, and Infiltration Facilities."
23. Adding a definition of "*Stormwater management (SWM) site plan*" between the definitions of "*Stormwater management facility*" and "*Street*" to read "*Stormwater management (SWM) site*

plan – The plan prepared by the Applicant or its representative, in accordance with the requirements of Article IV of this Ordinance, indicating how stormwater runoff will be managed at a particular Site in accordance with this Ordinance, and including all necessary design drawings, calculations, supporting text, and documentation to demonstrate that Ordinance requirements have been met, herein referred to as “SWM Site Plan.” All references in this Ordinance to “final” or “approved” SWM Site Plans shall incorporate the approved SWM Site Plan and all subsequent approved revisions thereto.”

SECTION 2. Amend Part 4, Procedure as follows:

1. In Section 22-402 Application Types, subsection 22-402.1.B.(3), replace the words “land disturbance” with “earth disturbance”.
2. In Section 22-403 Submission of Sketch Plan, subsection 403.4, delete the existing language and replace it with “The applicant is strongly urged to consult the conservation plan and open space requirements of this Chapter and the stormwater management requirements of the Honey Brook Township Stormwater Management Ordinance [Chapter 20] prior to submission of the sketch plan, in order to ensure the proposed subdivision and land development concept reflects those applicable requirements.
3. In Section 22-410 Performance Guarantees, subsection 22-410.1, delete the existing language in its entirety and replace with the following “The applicant shall deposit with the Township financial security in an amount sufficient to cover the cost of all improvements (including both public and private improvements) and common amenities, including but not limited to streets, walkways, curbs, gutters, street lights, shade trees, , recreational facilities, open space improvements, landscaping, as-built plans, stormwater management facilities and erosion and sediment controls as required by the Honey Brook Township Stormwater Management Ordinance [Chapter 20], and, except as provided for in subsection .6 hereof, water mains and other water supply facilities, fire hydrants, and sanitary sewage disposal facilities.”
4. In Section 22-412 Commencement of Development, subsection 22-412.1, replace the words “land disturbance” with “earth disturbance”.

SECTION 3. Amend Section 22-502 Preliminary Plan, by deleting Sections 22-502.E, 502.E.(1) to (3), including 502.E.(3)(a)-(d), in their entirety and replacing it with “A Stormwater Management Site Plan, containing the information required by Section 402 of the Honey Brook Township Stormwater Management Ordinance, [Chapter 20] shall be provided as part of the preliminary plan submission.

SECTION 4. Amend Section 22-503 Final Plan, by deleting Section 22-503.E in its entirety and replacing it with “A Stormwater Management Site Plan, containing the information required by Section 402 of the Honey Brook Township Stormwater Management Ordinance, [Chapter 20] shall be provided as part of the final plan submission, consistent with the terms of preliminary plan approval and modified as necessary to reflect the proposal for final plan approval.

SECTION 5. Amend Section 22-625, Recreational and Open Space Land, subsection 22-625.4.H, by deleting the existing language and replace it with the following: “Free of all structures, except those related to outdoor recreational use. Stormwater management facilities designed and approved as part of the development may be located within open space areas, but the area devoted to such facilities, measured at the outer toe of berm for basins, shall be excluded from the calculation of the amount of such open space.”

SECTION 6. Amend Section 22-626, Easements, Rights of Way, Reserve Strips, by deleting the existing language of subsection 626.2 in its entirety and replacing it with “Stormwater easements shall be provided as required by the Honey Brook Township Stormwater Management Ordinance [Chapter 20].”

SECTION 7. Amend Section 22-627, Stormwater Management, by deleting the entire Section in its entirety and replace with the following:

- “A. The management of stormwater on the site, both during and upon completion of the disturbances associated with the proposed subdivision or land development, and erosion and sediment controls shall be accomplished in accordance with the standards and criteria of the Honey Brook Township Stormwater Management Ordinance [Chapter 20].

- B. For all proposed developments, Stormwater management site plans and Erosion and sediment control plans shall be submitted to the Township for review and approval as part of the subdivision and land development approval process, in accordance with §22-502.E and 503.E of this Chapter and the Honey Brook Township Stormwater Management Ordinance [Chapter 20].”

SECTION 8. Amend Section 22-629, Landscaping, as follows:

1. In Section 22-629.5.C.(5), delete the existing language and replace it with the following “Stormwater management facilities are permitted in the buffer area provided that the visual screening requirement of the buffer is still met.”

2. Delete the existing language of Section 22-629.8 and replace with “*Stormwater management facilities*. Landscaping shall be required in and around all above-ground stormwater management facilities according to the following:”

3. Delete the existing language of Section 22-629.8.A, and replace with “A. All areas of above-ground stormwater management facilities, including basin floors, side slopes, berms, impoundment structures, etc., shall be planted with suitable vegetation such as naturalized meadow plantings or lawn grass specifically suited for the permanently wet, intermittently wet and usually dry areas of the stormwater facilities (see Appendix 22-A for recommended plants for stormwater facilities).”

4. Delete the existing language of Section 22-629.8.B and replace it with “For above-ground stormwater management facilities, exceeding two (2) foot in depth, trees and shrubs shall be planted in and around stormwater basins, at a rate of two trees and ten shrubs per 100 linear feet of basin perimeter, provided they do not interfere in the proper function of the basin, no trees are planted within 30 feet of an outlet/drain structure, and no trees or shrubs are planted within the emergency spillway or dam.”

5. Delete the existing language of Sections 22-629.8.C, 22-629.8.D and 22-629.8.E in their entirety.

6. In Section 22-629.9.B.(4), delete the existing language and replace it with “New tree plantings shall be composed of trees suitable for site conditions (floodplain, stormwater management facilities, etc).”

SECTION 9. Amend Section 22-630, Additional Requirements for Applications within the WHP-Wellhead Protection District, by deleting the existing language in subsection 22-630.B, 630.B.(1) and 630.B.(2) in their entirety and replace it with “For subdivisions or land developments within Zone 1, 2 or 3, for which stormwater management controls are required pursuant to the Honey Brook Township Stormwater Management Ordinance, infiltration shall be permitted subject to approval of the Township and Water Authority. If the site runoff has the potential to negatively impact the wellhead protection zone, measures to prevent or limit infiltration such as impermeable detention basin liners may be required by the Township.

SECTION 10. Amend Section 22-706, Stormwater Management, by deleting the existing language in its entirety and replacing it with “The provisions of the Honey Brook Township Stormwater Management Ordinance [Chapter 20] shall be applicable to all mobile home parks.”

SECTION 11. Amend Section 22-802, Inspections, as follows:

1. Delete the existing language in subsection 22-802.4.A to read “All stormwater management facility and Conveyance installation as required by the Honey Brook Township Stormwater Management Ordinance [Chapter 20].
2. Delete subsections 22-802.B and C in their entirety.
3. Reletter subsections 22-802.D through I as 22-802.B-G, respectively.
4. Add subsection 22-802.H to read “Other inspections determined by the Township to be necessary based upon the project scope and that the Township notified the developer of prior to said work being performed.”

SECTION 12. Amend Section 27-804, As-built Plans, Section 804.1.B to read “Stormwater as-built plans shall be provided for all subdivisions and land developments in accordance with the requirements of Section 502 of the Honey Brook Township Stormwater Management Ordinance [Chapter 20].

SECTION 13. Amend Part 19, Section 27-1910 Conditional Use Procedures and General Standards, as follows:

1. In the last sentence of Section 27-1910.2.B, replace the words “Five copies” with “Eighteen copies”.
2. At the end of Section 1910.4.C, after the words “Ordinance [Chapter 22]” add, “and the Township Stormwater Management Ordinance [Chapter 20]”.

SECTION 14. Amend Part 20, Section 27-2003 Special Exception Plan, Procedures, and Conditions, Subsection 27-2003.B.3) by replacing the existing language in its entirety to read “The Subdivision and Land Development Ordinance [Chapter 22], as amended, and the Stormwater Management Ordinance [Chapter 20], as amended, except that the Zoning Hearing Board shall defer to the Board of Supervisors for determination of technical compliance with such ordinances.

SECTION 15. Amend Part 24, Section 27-2406 Design Standards, Subsection 27-2406.7.I, by replacing the words “Permanent Stormwater Management Controls” with “Stormwater Management Ordinance”.

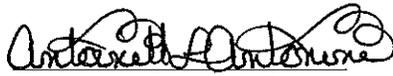
SECTION 16. SEVERABILITY. If any sentence, clause, section or part of this Ordinance is for any reason found to be unconstitutional, illegal or invalid, such unconstitutionality, illegality or invalidity shall not affect or impair any of the remaining provisions, sentences, clauses, sections or parts hereof. It is hereby declared as the intent of the Board of Supervisors of Honey Brook Township that this Ordinance would have been adopted had such unconstitutional, illegal or invalid sentence, clause, section or part thereof not been included herein.

SECTION 17. REPEALER. All Ordinances or parts of Ordinances conflicting with any provision of this Ordinance are hereby repealed insofar as the same affects this Ordinance.

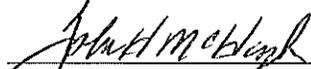
SECTION 18. EFFECTIVE DATE. This Ordinance shall become effective five days after enactment as provided by law.

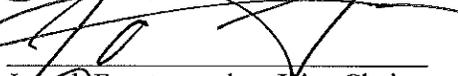
SO IT IS ENACTED AND ORDAINED this 14th day of MAY, 2014.

ATTEST:


Antoinette Antonini, Secretary

HONEY BROOK TOWNSHIP
BOARD OF SUPERVISORS


John McHugh, Chairman


Joseph Fenstermacher, Vice-Chairman


Tracy Olsen, Member