The Dover Township Board of Supervisors held a work session on Monday, July 23, 2012, which began at 6:00 PM in the Meeting Room of the Dover Township Municipal Building. Dover Township Supervisors present were Chairperson Madelyn Shermeyer, Monica Love, Michael Husson, Charles Richards, and Matthew Menges. Terry Myers, Township Engineer; Atty. Charles Rausch, Township Solicitor; Laurel Oswalt, Township Manager; Charles Farley, Public Works Director and Dawn Slegel, Recording Secretary were also present.

The purpose of the work session was to discuss amending the Stormwater Management Ordinance.

Mr. Myers explained that he collected ordinances from other larger municipalities in the County which are less cumbersome. He has not seen any articles or documentation that the State has revised their model ordinance.

A spreadsheet was provided by the Building Permit Officer of projects which have been required to meet the stormwater management regulations. This was requested by Mr. Myers to determine whether a building size restriction would be feasible.

Mr. Farley stated that the addition of impervious area must be covered by stormwater management. An exemption of the planning process could be determined.

Mr. Myers noted that relevant to the County, they would control the soil erosion and sedimentation control. Temporary excavation which is restored to the original run-off condition is not subject to the stormwater management regulations. What is likely to be looked at for revision is the smaller residential projects in which other municipalities have written their Stormwater Management Ordinance to exempt them.

Mr. Myers explained that any person doing a regulated activity is required to perform stormwater management. The ordinances by other municipalities are stating that they are not going to regulate this activity. The property owner would still be responsible for properly managing the stormwater. They are not subject to applying for a building permit nor showing any of the planning process.

Supervisor Love reported that the property owner does have options of installing a rain garden, seepage pit, or seepage trench depending on the project to meet the stormwater regulations. The biggest expense would be a seepage pit. The Stormwater Ordinance does not have to be clearly understood by the property owner. The Township Staff can provide detailed information in order to simplify the overall process.
Manager Oswalt added that if the property owner can meet the four criteria, then they would be exempt from the management of the stormwater. These four criteria consist of: 1. Provide a 75 foot flow path with no impervious area around the project; 2. No class D soils present within area; 3. A project of less than 500 square feet; and 4. Any area with less than a five percent slope. In order to determine if these criteria are met, a building permit application must be completed which then is reviewed by the Public Works Director.

Mr. Farley reported to the Board that he looks at every site with its unique aspects.

Mr. Myers discussed Part 3 “Stormwater Management Standards” of Chapter 19 “Stormwater Management” in the Dover Township Code of Ordinances, specifically Section 302 which is “Exemptions”. He provided several different examples from other municipalities of this section.

Atty. Rausch indicated his issue with having a stormwater ordinance and then the municipality tends to disregard the regulation of it.

Supervisor Love noted that the intent is that any stormwater created on a property must be managed on that property.

Chair Shermeyer questioned why the inspections must be performed by the Township Engineer as stated in Part 7 “Fees and Expenses”. She wanted to find another way to handle inspections in order to lower the fee for the applicant.

Mr. Myers responded that any residential construction can be inspected by the Township Staff.

Mr. Farley stated that the Dover Township Stormwater Management Ordinance was submitted to the Department of Environmental Protection with the MS4 Report.

Mr. Myers reported that one municipality placed their Stormwater Management Ordinance in their Subdivision and Land Development Ordinance which then required the York County Planning Commission’s review. He also advised that if Dover Township decided not to regulate the stormwater on certain size structures, then the applicant should be given notice stating that there are requirements that Dover Township is not regulating or inspecting, but those requirements still need to be met.

Mr. Farley reported that there is a separate stormwater permit application which must be completed with the building permit application.

Chair Shermeyer commented that she would like this process to be as homeowner friendly as possible.

Mr. Farley asked to have more leeway with gravel surfaces. They are treated as impervious areas. He believes that there is some absorption.
Supervisor Love suggested that Township Staff use common sense when explaining to the applicants how to deal with managing their stormwater.

The work session was concluded at 7:00 PM.

Respectfully submitted by: ________________________________

Dawn D. Slegel, Secretary