

Honesdale Borough Stormwater Management Ordinance Draft Amendment July 15, 2021

1. Revise § 177-5 “Applicability” to read as follows:

All regulated activities and all activities that may affect stormwater runoff, including land development or earth disturbance, are subject to regulation by this chapter. The standards of this chapter shall be presumed to have been met in the case of any land disturbance of one acre or more where a NPDES permit from the Pennsylvania DEP has been secured. No separate application to the Borough shall be required in such instance and no Borough Engineer review shall be required, provided a copy of such permit has been supplied to the Borough in conjunction with any subdivision plan or site plan submission or the DEP approval of the same has been made a condition of Borough approval.

2. Revise sub-sections A, B and C of § 177-8 “General requirements” to read as follows:

- A. *No regulated activities shall commence until the municipality has received; (1) a SWM site plan prepared by a Qualified Professional as defined herein, certifying such plan meets the standards and criteria of this ordinance subject to such modifications as are consistent with Best Management Practices, or (2) an NPDES permit from DEP. The Borough may have any SWM site plan reviewed by the Borough Engineer for recommendations. Borough approval, where required, shall be granted or denied in conjunction with review and action on any subdivision, site or building plans submitted for approval and relating to the same activity.*
- B. *Plans approved by the Borough or DEP, as the case may be, shall be on site throughout the duration of the regulated activity.*
- C. *The municipality may, after consultation with DEP or the Borough Engineer, approve methods for meeting the state water quality requirements other than those in this chapter, provided they do not conflict with state law, including but not limited to the Clean Streams Law. The standards contained herein shall, however, simply be considered guidelines in the instances of existing non-conforming lots and buildings or where the best management practice, for instance, is to get stormwater to an adjoining stream before flooding occurs. New single-family homes and additions and other projects involving less than 4,000 square feet of impervious area shall be wholly exempt from application and review hereunder.*

3. Revise sub-sections A and B of § 177-14 “Plan review” to read as follows:

- A. *The Borough may have a qualified professional for the municipality review a SWM site plan not requiring a NPDES permit for consistency with the provisions of this chapter. After any such review, the qualified professional shall provide any recommendations in writing. The SWM site plan review and recommendations shall be completed within the time allowed by the Municipalities Planning Code or Borough Code for reviewing subdivision, site or building plans and in conjunction therewith.*
- B. *Notwithstanding any other provision of this chapter, the standards herein with respect to applications involving less than one acre of disturbance and not requiring a NPDES permit shall serve as guidelines. DEP design criteria for both rate and volume shall be applicable in all instances.*