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## Article IV – Stormwater Management (SWM) Site Plan Requirements

### § 25-401 General Requirements.

For any of the Regulated Activities of this Chapter, prior to the final approval of subdivision and/or land development plans, or the issuance of any permit, or the commencement of any Regulated Earth Disturbance Activity, the owner, subdivider, developer, or his agent shall submit a Stormwater Management (SWM) Site Plan and receive Borough approval of the Stormwater Management (SWM) Site Plan. The following matters shall be addressed with respect to the SWM Site Plan:

(a) **SALDO.** Appropriate sections from Alburdis Codified Ordinances Chapter 22 (relating to Subdivision and Land Development), and other applicable local ordinances, shall be followed in preparing the SWM Site Plans.

(b) **Compliance Required.** The Borough shall not approve any SWM Site Plan that is deficient in meeting the requirements of this Chapter. At its sole discretion and in accordance with this Article, when a SWM Site Plan is found to be deficient, the Borough may either disapprove the submission and require a resubmission, or in the case of minor deficiencies, the Borough may accept submission of modifications.

(c) **Access and Maintenance Easements.** Provisions for permanent access or maintenance easements for all physical SWM BMPs, such as ponds and infiltration structures, as necessary to implement the Operation and Maintenance (O&M) Plan discussed in § 25-403(h).

(d) **Borough Signature Block.** The following signature block shall be provided for the Borough: “On this \_\_\_ day of \_\_\_\_\_, 20\_\_\_, the Alburdis Borough Engineer hereby certifies that, upon his/her review, the SWM Site Plan meets all design standards and criteria of Alburdis Codified Ordinances Chapter 25 (relating to Stormwater Management).”

(e) **Information and Documentation.** The SWM Site Plan shall provide the information and documentation described in § 25-403.

[Ords. 415 10-29-2003, 434 03-30-2005, 573 09-28-2022]

### § 25-402 Exemptions.

Exemptions from the Stormwater Management (SWM) Site Plan requirements are as specified in § 25-104.1.

[Ords. 415 10-29-2003, 434 03-30-2005, 573 09-28-2022]

**§ 25-403 SWM Site Plan Contents.**

The following items shall be included in the SWM Site Plan:

**(a) General.**

- (1) General description of project.
- (2) General description of the overall stormwater management concept for the project.
- (3) The name and address of the project site, the name and address of the owner of the property, and the name of the individual or firm preparing the SWM Site Plan.
- (4) Expected project time schedule.

**(b) Maps.** Map(s) of the project area showing:

- (1) The location of the project relative to highways, municipalities, and other identifiable landmarks.
- (2) Existing contours at intervals of two (2) feet. In areas of steep slopes (greater than 15%), five-foot (5') contour intervals may be used. Off-site drainage areas impacting the project shall also be shown, including topographic detail.
- (3) Streams, lakes, ponds, or other bodies of water within the project area.
- (4) Other physical features, including existing drainage swales, wetlands, closed depressions, sinkholes, and areas of natural vegetation to be preserved.
- (5) Locations of proposed underground utilities, sewers, and water lines. The locations of all existing and proposed utilities, sanitary sewers, and water lines within fifty (50) feet of the property lines of the project site shall also be shown.
- (6) An overlay showing soil types and boundaries based on the Lehigh County Soil Survey, latest edition.
  - (6.1) An overlay showing geologic types and boundaries.
- (7) Proposed changes to land surface and vegetative cover.
- (8) Proposed structures, roads, paved areas, and buildings.
- (9) Final contours at intervals of two (2) feet. In areas of steep slopes (greater than 15%), five-foot (5') contour intervals may be used.
- (10) Stormwater Management District boundaries applicable to the site.
- (11) A schematic showing all tributaries contributing flow to the site and all existing man-made features beyond the property boundary that would be affected by the project.
- (12) Clear identification of the location and nature of permanent stormwater BMPs.
- (13) An adequate access easement around all stormwater BMPs that would provide Borough ingress to and egress from a public right-of-way.

(14) The location of all existing and proposed (A) on-lot wastewater facilities within one hundred (100) feet of the project, (B) public water supply wells within four hundred (400) feet of the project, and (C) private water supply wells within one hundred (100) feet of the project.

**(c) Stormwater Management Controls and BMPs.**

(1) All stormwater management controls and BMPs must be shown on a map and described, including:

(A) Plan and profile drawings, including drainage structures, pipes, open channels, and swales.

(A.1) Groundwater recharge methods such as seepage pits, beds, or trenches. When these structures are used, the locations of septic tank infiltration areas and wells must be shown.

(B) Other control devices or methods such as roof-top storage, semi-pervious paving materials, grass swales, parking lot ponding, vegetated strips, detention or retention ponds, storm sewers, etc.

(2) All calculations, assumptions, and criteria used in the design of the BMPs must be shown.

(3) All site testing data used to determine the feasibility of infiltration on a site must be shown.

(4) A statement, signed by the landowner, acknowledging that the stormwater BMPs are fixtures that cannot be altered or removed without approval by the Borough.

(5) If BMPs other than green infrastructure methods and low impact development (LID) practices are proposed to achieve the volume, rate and water quality controls under this Chapter, the developer must include a statement that he considered the use of LID and green infrastructure practices, and an explanation why he determined that such practices were not reasonable or practicable for the particular project.

**(d) Site Conditions.** A determination of site conditions in accordance with the BMP Manual. *See* reference 4 at § 25-901. A detailed site evaluation shall be completed for projects proposed in areas of carbonate geology or karst topography, and other environmentally sensitive areas, such as brownfields.

**(e) Runoff Calculations and Documentation.** Stormwater runoff design computations and documentation as specified in this Chapter, or as otherwise necessary to demonstrate that the maximum practicable measures have been taken to meet the requirements of this Chapter, including the recommendations and general requirements in § 25-301

**(f) Erosion and Sediment Control Plan.** A soil erosion and sediment control plan, where applicable, as prepared for and submitted to the approval authority.

**(g) Effect of Project on Others.** The effect of the project (in terms of runoff volumes, water quality, and peak flows) on surrounding properties and aquatic features, and on any existing stormwater conveyance system that may be affected by the project.

**(h) Operations and Maintenance Plan.** An Operations and Maintenance (O&M) Plan for all existing and proposed physical stormwater management facilities. This plan shall address long-term ownership and responsibilities for O&M as well as schedules and costs for O&M activities.

[Ords. 415 10-29-2003, 434 03-30-2005, 573 09-28-2022]

#### § 25-404 Plan Submission.

**(a) To the Borough.** Two (2) copies of the SWM Site Plan shall be submitted by the developer to the Zoning Officer. One (1) copy shall be distributed to Council, and one (1) copy shall be distributed to the Borough Engineer. The Plan shall be submitted, as applicable, with a preliminary plan submission for a subdivision or land development, with a building permit application, or with a zoning permit application.

**(b) To the Lehigh Valley Planning Commission.** At the same time, two (2) copies of the SWM Site Plan shall be submitted by the developer to the Lehigh Valley Planning Commission, except for SWM Site Plans involving less than ten thousand (10,000) square feet of additional impervious cover. The Lehigh Valley Planning Commission will conduct an advisory review of the SWM Site Plan for consistency with the Stormwater Management Plan. The Lehigh Valley Planning Commission will provide written comments to the developer and the Borough, within a time frame consistent with established procedures under the Municipalities Planning Code, 53 PA. STAT. ANN. § 10101 *et seq.*, as to whether the SWM Site Plan has been found to be consistent with the Stormwater Management Plan. The Lehigh Valley Planning Commission will not review details of the Erosion and Sediment Control Plan or the BMP Operations and Maintenance Plan. Where applicable, the Lehigh Valley Planning Commission may review the SWM Site Plan for coordination with the DEP permit application process under Chapter 105 (relating to Dam Safety and Waterway Management), Chapter 106 (relating to Flood Plain Management) of DEP's Regulations, 25 PA. CODE Ch. 105 & 106, and NPDES regulations.

[Ords. 415 10-29-2003, 434 03-30-2005, 573 09-28-2022]

#### § 25-405 SWM Site Plan Review.

**(a) By the Borough Engineer.** The Borough Engineer shall review the SWM Site Plan, including the BMP Operations and Maintenance Plan, for consistency with the provisions of this Chapter, the Stormwater Management Plan, any permits issued by DEP, and with any additional storm drainage provisions contained in Chapter 22 (relating to Subdivision and Land Development) or Chapter 21 (relating to Zoning).

**(a.1) BMP Operations and Maintenance Plan.** The Borough shall notify the applicant in writing whether the BMP Operations and Maintenance Plan is approved.

**(b) Effect on Subdivision/Land Development and Building Permit Applications.** The Borough shall not approve any related subdivision or land development or building permit application if the SWM Site Plan has been found to be inconsistent with this Chapter or the Stormwater Management Plan.

(c) **Time.** The Borough shall notify the applicant in writing within forty-five (45) days whether the SWM Site Plan is approved or disapproved. If the SWM Site Plan involves a Subdivision and Land Development Plan, the notification shall occur within the time period allowed by the Municipalities Planning Code (90 days). If a longer notification period is provided by other statute, regulation, or ordinance, the applicant will be so notified by the Borough.

(d) **Green Infrastructure/LID Practices.** For any SWM Site Plan that proposes to use any BMPs other than green infrastructure and low impact development (LID) practices to achieve the volume and rate controls required under this Chapter, the Borough may require the use of such practices before approving the SWM Site Plan if it determines that such practices are reasonable, practicable, and desirable for the project.

(e) **Adverse Action.** If the Borough disapproves the SWM Site Plan, the Borough will state the reasons for the disapproval in writing. The Borough also may approve the SWM Site Plan with conditions and, if so, shall provide the acceptable conditions for approval in writing.

[Ords. 415 10-29-2003, 434 03-30-2005, 573 09-28-2022]

## § 25-406 Modification of Plans.

A modification to a submitted SWM Site Plan that involves a change in SWM BMPs or techniques, or which involves the relocation or redesign of SWM BMPs, or that is necessary because soil or other conditions are not as stated on the SWM Site Plan, as determined by the Borough, shall require a resubmission of the modified SWM Site Plan in accordance with this Article.

[Ords. 415 10-29-2003, 434 03-30-2005, 573 09-28-2022]

## § 25-407 Resubmission of Disapproved SWM Site Plans.

A disapproved SWM Site Plan may be resubmitted, with the revisions addressing the Borough's concerns, to the Borough in accordance with this Article. The applicable review fee must accompany a resubmission of a disapproved SWM Site Plan.

[Ord. 573 09-28-2022]

## § 25-408 Authorization to Construct and Term of Validity.

The Borough's approval of an SWM Site Plan authorizes the Regulated Activities contained in the SWM Site Plan for a maximum term of validity of five (5) years following the date of approval. The Borough may specify a term of validity shorter than five (5) years in the approval for any specific SWM Site Plan. Terms of validity shall commence on the date the Borough signs the approval for an SWM Site Plan. If an approved SWM Site Plan is not completed according to § 25-409 within the term of validity, then the Borough may consider the SWM Site Plan disapproved and may revoke any and all permits. SWM Site Plans that are considered disapproved by the Borough shall be resubmitted in accordance with § 25-407.

[Ord. 573 09-28-2022]

### § 25-409 Completion.

(a) **As-Built Plans.** The developer shall be responsible for providing as-built plans of all SWM BMPs included in the approved SWM Site Plan. The as-built plans and an explanation of any discrepancies with the construction plans shall be submitted to the Borough.

(b) **Certificate of Completion.** The as-built submission shall include a certification of completion signed by a qualified professional verifying that all permanent SWM BMPs have been constructed according to the approved plans and specifications. The latitude and longitude coordinates for all permanent SWM BMPs must also be submitted, at the central location of the BMPs. If any licensed qualified professionals contributed to the construction plans, then a licensed qualified professional must sign the completion certificate.

(c) **Final Inspection.** After receipt of the completion certification by the Borough, the Borough may conduct a final inspection.

[Ord. 573 09-28-2022]