

**CONEWAGO TOWNSHIP
ADAMS COUNTY**

RESOLUTION NO. 2024 - G

**A RESOLUTION OF THE BOARD OF SUPERVISORS OF
CONEWAGO TOWNSHIP, ADAMS COUNTY, PENNSYLVANIA
ADOPTING A REVISED CREDIT ASSISTANCE PROGRAM FOR
STORMWATER MANAGEMENT**

WHEREAS, the Pennsylvania Storm Water Management Act, Act of Oct. 4, 1978, P.L. 864, No. 167, as amended, requires municipalities to “adopt or amend, and [] implement such ordinances and regulations, including zoning, subdivision, and development, building code, and erosion and sedimentation ordinances, as are necessary to regulate development within the municipality in a manner consistent with the applicable watershed storm water plan and the provisions of this act.”; and

WHEREAS, Conewago Township, Adams County (the “Township”) has enacted a Stormwater Management Ordinance in accordance with the provisions of the Pennsylvania Storm Water Management Act, which Ordinance is codified at Chapter 76 of the Code of the Township of Conewago, Adams County; and

WHEREAS, the Township’s Stormwater Management Ordinance provides that the Township may provide a system of credits against stormwater management fees for properties on which stormwater facility construction or maintenance substantially mitigates the peak discharge or runoff pollution flowing from such properties or substantially decreases the Township’s cost of maintaining the public stormwater system, which credits may be set forth from time to time by the Township in policies and procedures promulgated under the Ordinance; and

WHEREAS, the Township has adopted Stormwater Program Fee Credit Assistance Program (“CAP”) Policies and Procedures pursuant to the Stormwater Management Ordinance; and

WHEREAS, the Board of Supervisors of the Township has determined it to be in the best interests of the health, safety, and general welfare of its residents to update the Stormwater Program Fee Credit Assistance Program Policies and Procedures.

NOW, THEREFORE, the Board of Supervisors of Conewago Township, Adams County, Pennsylvania hereby resolves as follows:

SECTION 1. RECITALS

The above recitals are incorporated herein by reference.

SECTION 2. AMENDMENTS TO THE STORMWATER PROGRAM FEE CREDIT ASSISTANCE PROGRAM POLICIES AND PROCEDURES

The Stormwater Program Fee Credit Assistance Program Policies and Procedures of Conewago Township, Adams County, Pennsylvania are hereby amended as follows:

- (a) Page G-1, "Maximum Credit Limit," shall be repealed and replaced with the following text:

"The Township SPF program includes aspects beyond improving the quality of stormwater runoff. There are efforts funded by the SPF related to administration, maintenance, and capital improvements. These benefit all residents and therefore need to remain funded by residents and business owners. This was the sole premise of the original stormwater funding study that was completed prior to the SPF being authorized by the Board of Supervisors. As such, the maximum aggregate SPF credit for any individual property is fifty percent (50%) of the original stormwater management fee determined in accordance with this manual, regardless of how many individual credits for which the property qualifies, unless the property is granted a larger credit under the Stormwater Partnership Credit.

- (b) Page G-2, "Application Process," shall be repealed and replaced with the following text:

"For credit review, the property owner must submit the General Application accompanied by the application review fee and all required documentation to the Township. Credit applications will be reviewed in conjunction with Township Staff and the appointed Township Engineer. Property owners may be required to establish an escrow account of \$3,000 for specific credits to cover professional services for review of the application. The application process does not relieve the property owner of payment of stormwater management fees during the review process.

The Township will give written notification of the credit determination within sixty (60) days upon receipt of a complete credit application package. The written notification shall state the conditions of the issuance of the SPF credit and effective date of the credit. The Township Engineer in conjunction with Township staff shall review for accuracy all plans, materials, and documentation related to the application. If, after review, the application or documentation is found to be deficient, the applicant will be notified in writing and given forty-five (45) days to correct the deficiency, or the applicant will be required to file a new application. If all deficiencies are corrected within forty-five (45) days and application for credits are approved, credits will take effect on the initial application date.

The Property Owner may appeal the Township's decision regarding the issuance or non-issuance of a credit (for their property only) within thirty (30) days after that decision to the Stormwater Advisory Committee (SAC)."

(c) Page G-3, Table G.1 shall be repealed and replaced with the following:

Credit Type Description	Credit Type ID	Maximum Facility Credit
Peak Rate (Flood Controls)	PR	25%
Volume Controls/Green Infrastructure	VC-GI	50%
Water Quality Controls	WQ	25%
Non-Structural Controls	NS	15%
Stormwater Partnership Credit	PC	TBD

(d) Page G-4, Table G.2 shall be repealed and replaced with the following:

Stormwater Facility Classifications for CAP Credits				
Peak Rate (Flood Controls)	Volume Controls/Green Infrastructure	Water Quality Controls	Non-Structural Controls	Stormwater Partnership Credit
25% Credit	50% Credit	25% Credit	15% Credit	Credit TBD
Constructed wetland system	Pervious pavement (with infiltration facility)	Proprietary Water Quality Filter	Tree Planting	Property owners may propose other means to improve their property through the use of innovative stormwater technologies
Wet pond/retention basin	Stream Restoration	Riparian Buffering	Downspout Disconnection	
Dry extended detention basin	Rain garden/Bioretention	Hydrodynamic Separation Devices	Education Credit	
	Infiltration facility (subsurface or surface)		Public Participation	
	Green Roof	Vegetated Swale		
	Runoff Capture & Reuse	Vegetated Filter Strip		
	Infiltration Berm & Retentive Grading			

(e) A new section entitled "Stormwater Partnership Credit" shall be added, which shall read as follows:

"Property owners are encouraged to propose other means to improve their property and our community through the use of innovative stormwater technologies. If a property owner has an idea for a project that could be worth stormwater credits, the Township encourages the property owner to submit the project idea under the Stormwater Partnership Credit. Credit will be based on a benefit analysis demonstrating actual cost reduction to be realized by the Township.

SECTION 3. SEVERABILITY

If any sentence, clause, section, or part of this Resolution is for any reason found 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 the intent of the Board of Supervisors of Conewago Township that this Resolution would have been adopted had such unconstitutional, illegal or invalid sentence, clause, section or part thereof not been included therein.

SECTION 4. REPEALER

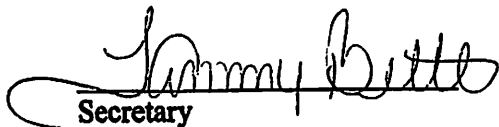
All resolutions and parts of resolutions inconsistent herewith shall be and the same hereby expressly are repealed.

SECTION 5. EFFECTIVE DATE

This Resolution shall take effect immediately.

DULY RESOLVED by the Conewago Township Board of Supervisors, in session duly assembled, this 19 day of February, 2024.

ATTEST:


Secretary

CONEWAGO TOWNSHIP

By: 
Charlotte Shaffer, Chair