

TOWNSHIP OF MARTIC

Lancaster County, Pennsylvania

ORDINANCE NO. 2-4-19 B

AN ORDINANCE TO AMEND THE MARTIC TOWNSHIP STORM WATER MANAGEMENT ORDINANCE TO ADD REGULATIONS GOVERNING HIGH TUNNELS AND MAKE CERTAIN ADMINISTRATIVE CHANGES.

BE AND IT IS HEREBY ORDAINED AND ENACTED by the Board of Supervisors of the Township of Martic, Lancaster County, Pennsylvania, as follows:

Section 1. The Martic Township Storm Water Management Ordinance, Article II, Definitions, §202. Definitions, shall be amended by adding or revising the following definitions in alphabetical order:

DRIPLINE – The area defined by the outermost circumference of a tree canopy where water drips from and onto the ground.

HIGH TUNNEL – A structure which meets the following:

(1) Is used for the production, processing, keeping, storing, sale or shelter of an agricultural commodity as defined in Section 2 of the Act of December 19, 1974 (P.L.973, No. 319), known as the "Pennsylvania Farmland and Forest Land Assessment Act of 1974," or for the storage of agricultural equipment or supplies.

(2) Is constructed consistent with all of the following:

- (i) Has a metal, wood or plastic frame.
- (ii) When covered, has a plastic, woven textile or other flexible covering.
- (iii) Has a floor made of soil, crushed stone, matting, pavers or a floating concrete slab.

LOADING RATIO – A numeric ratio of the drainage area to infiltration area. For sub-surface storm water management controls, the infiltration area is defined as the surface area of the base of the system. For surface storm water management controls, the infiltration area is defined as the base of the system plus side slopes.

Section 2. The Martic Township Storm Water Management Ordinance, Article III, Stormwater Management Standards, §301, Subsection N, Paragraph 4, shall be amended to provide as follows:

4. Prior to construction, a tree protection zone shall be delineated at the dripline of the tree canopy. All trees scheduled to remain during construction shall be marked; however, where groups of trees exist, only the trees on the outside edge need to be marked. A 48 inch high snow fence or 48 inch high construction fence mounted on steel posts located 8 feet on center shall be placed along the tree protection boundary. No construction, storage of material, temporary parking, pollution of soil, or regrading shall occur within the tree protection zone.

Section 3. The Martic Township Storm Water Management Ordinance, Article III, Stormwater Management Standards, §302, Volume Controls, Subsection A, Paragraph 2, Subparagraph c, shall be amended to provide as follows:

- c. The maximum loading ratio for volume control facilities in karst areas shall be 3:1 impervious drainage area to infiltration area and 5:1 total drainage area to infiltration area. The maximum loading ratio for volume control facilities in non-karst areas shall be 5:1 impervious drainage area to infiltration area and 8:1 total drainage area to infiltration area. A higher ratio may be approved by the Township if justification is provided. Justification shall be provided based on the SEPA Infiltration Risk Based Approach chart. Hydraulic depth may be used as an alternative to an area-based loading ratio if the design hydraulic depth is shown to be less than the depth that could result from the maximum area loading ratio.

Section 4. The Martic Township Storm Water Management Ordinance, Article III, Stormwater Management Standards, §304, Subsection C, shall be amended to provide as follows:

- C. Storm water flows onto adjacent property shall not be created, increased, relocated, or otherwise altered without written notification of the adjacent property owner(s) by the developer. Such storm water flows shall be subject to the requirements of this ordinance, including the establishment of a drainage easement. Copies of all such notifications shall be included in the SWM Site Plan submissions

Section 5. The Martic Township Storm Water Management Ordinance, Article III, Stormwater Management Standards, §305, Calculation Methodology, Subsection C, shall be amended as follows:

- C. Rainfall values:

Soil Cover Complex Method – the Soil Conservation Service Type II, 24-hour rainfall distribution shall be used in conjunction with rainfall depths from NOAA Atlas 14 or consistent with the following:

* * *

Section 6. The Martic Township Storm Water Management Ordinance, Article IV, Storm Water Management Site Plan Requirements, §402, Drafting Standards, Subsection D, shall be amended to provide as follows:

- D. Drawings or maps of the project area shall be drawn at 1" = 50' or larger scale (i.e. 1" = 40', 1" = 30' etc.) and shall be submitted on 24-inch x 36-inch or 22-inch x 34 inch sheets.

Section 7. The Martic Township Storm Water Management Ordinance, Article IV, Storm Water Management Site Plan Requirements, §403, SWM Site Plan Information, Subsection E, shall be amended to provide as follows:

- E. The following signature block for the Township:

Martic Township SWM Site Plan Approval Certification

At a meeting on _____, 20____, the Martic Township Board of Supervisors approved this project, and all conditions have been met. This approval includes the complete set of plans and information that are filed with the Township in File No. _____, based upon its conformity with the standards of the Martic Township Storm Water Management Ordinance.

Section 8. The Martic Township Storm Water Management Ordinance, Article V, Plan Processing Procedures, §502, Exemption from Plan Submission Requirements, Subsection A, shall be amended by adding a new Paragraph 6 which shall provide as follows:

- 6. A person seeking to erect a high tunnel shall in all cases be required to file an application under this Ordinance. A person seeking exemption from this Ordinance on the basis that the high tunnel is exempted pursuant to the Storm Water Management Act, as amended by Act 15 of 2018, shall provide all information necessary to demonstrate that the high tunnel meets the definition set forth herein and that the proposed high tunnel meets all of the following requirements:
 - A. The high tunnel or its flooring does not result in an impervious area exceeding 25% of all structures located on the owner's total contiguous land area; and
 - B. The high tunnel meets one of the following:
 - (1) The high tunnel is located at least 100 feet from any perennial stream or watercourse, public road or neighboring property line.
 - (2) The high tunnel is located at least 35 feet from any perennial stream or watercourse, public road or neighboring property line and located on land with a slope not greater than 7%. If an appli-

cant desires to locate a high tunnel within 50 feet from any perennial stream or watercourse, the applicant shall provide a copy of the DEP approval for the location of the high tunnel within 50 feet from any perennial stream or watercourse.

- (3) The high tunnel is supported with a buffer or diversion system that does not directly drain into a stream or other watercourse by managing storm water runoff in a manner consistent with requirements of this Ordinance.
- C. Nothing in this subsection shall be construed to exempt high tunnels from other requirements applicable under Federal, State or Township ordinances.
- D. Nothing in this subsection shall apply to impervious surfaces including, but not limited to, driveways or parking and loading areas which may be installed in connection with the high tunnel.

Section 9. The Martic Township Storm Water Management Ordinance, Appendix D, Exemption Application, shall be amended by adding High Tunnel Storm Water Exemption Requirements, as set forth in Exhibit A attached hereto and incorporated herein, at the end of the existing Appendix D.

Section 10. The Martic Township Storm Water Management Ordinance shall be amended by adding a new Appendix E, Infiltration Risk Based Approach Chart as set forth in Exhibit B attached hereto and incorporated herein.

Section 11. All other sections, parts and provisions of the Martic Township Storm Water Management Ordinance shall remain in full force and effect as previously enacted and amended.

Section 12. In the event any provision, section, sentence, clause or part of this Ordinance shall be held to be invalid, illegal or unconstitutional by a court of competent jurisdiction, such invalidity, illegality or unconstitutionality shall not affect or impair the remaining provisions, sections, sentences, clauses or parts of this Ordinance, it being the intent of the Board of Supervisors that the remainder of the Ordinance shall be and shall remain in full force and effect.

Section 13. This Ordinance shall take effect and be in force five (5) days after its enactment by the Board of Supervisors of the Township of Martic as provided by law.

DULY ORDAINED AND ENACTED this 4th day of February, 2019, by the Board of Supervisors of the Township of Martic, Lancaster County, Pennsylvania, in lawful session duly assembled.

TOWNSHIP OF MARTIC
Lancaster County, Pennsylvania

Attest: Karen A. Sellers
(Assistant) Secretary

By: [Signature]
(Vice) Chairman
Board of Supervisors


[TOWNSHIP SEAL]

CERTIFICATE

I, the undersigned, Manager of the Township of Martic (the "Township"), certify that the foregoing is a true and correct copy of an Ordinance of the Board of Supervisors of the Township, which was duly enacted by affirmative vote of a majority of the members of the Board of Supervisors of the Township of Martic at a meeting dully held on the 4th day of February, 2019; such Ordinance has been duly recorded in the Ordinance Book of the Township; such Ordinance has been duly published as required by law; and such Ordinance remains in effect, unaltered and unamended, as of the date of this Certificate.

I further certify that the Board of Supervisors of the Township of Martic met the advanced notice and public comment requirements of the Sunshine Act, 65 Pa. C.S. § 701 et seq., as amended, by advertising the date of said meeting, by posting prominently a notice of said meeting at the principal office of the Township or at the public building in which said meeting was held and by providing a reasonable opportunity for public comment at said meeting prior to enacting such Ordinance.

IN WITNESS WHEREOF, I set my hand and affix the official seal of the Township, this 4th day of February, 2019.


Secretary

[TOWNSHIP SEAL]

	Length	Width	Total sq ft
Proposed High Tunnel			

Grand Total square Footage:

_____ Which condition (A, B or C) also applies to your situation

Explain: _____

_____ Property Address

_____ Property Owner signature

_____ Date

Infiltration - Risk Based Approach

- Infiltration should be undertaken more responsibly.
- Elements of risk should be assessed:

