

MINUTES – STORM SEWER UTILITY ADVISORY COMMITTEE MEETING

Tuesday, July 16, 2019

1. GENERAL . . . The Storm Sewer Utility Advisory Committee meeting was held Tuesday, July 16, 2019 at 3:00 p.m. in Council Chambers on the first floor of the new Utility Departments Addition to Borough Hall, 100 South Second Street, Chambersburg, Pennsylvania. Present: Members Carla Christian, Alice Elia, Ken Adams, Edward Peters, Phil Tarquino and Jason Warrenfeltz. Advisors Andrew Stottlemeyer, Storm Sewer System Manager, Phil Wolgemuth, Assistant to the Borough Manager, Zach Rice, Salzmann-Hughes Borough Solicitor, Bill Kick, HRG Assistant Vice President and Bruce Hulshizer, HRG Financial Services Project Manager. Absent: Members Herb Dolaway, Mike Kalathas, Tanya Nitterhouse, Tim Murray, and Bernie Washabaugh, Jr.
2. VISITORS . . . (See attached)
3. RECAP, NEWS & UPDATES
Mr. Hulshizer presented the Committee with a Power Point presentation that recapped the current storm sewer system, goal for level of service, example of capital improvement needs, and draft of capital improvement plan that have been discussed at previous meetings as well as the budget to accommodate incremental increases to fees. He also provided the members with a draft copy of the Storm Sewer Management Program Credit Policy Manual to review.
4. REVISIT FEE STRUCTURE ALTERNATIVES
Mr. Hulshizer reminded the Committee that they had discussed two alternative fee structures to meet the budget at their last meeting. The two options are to group all Single Family Residential (SFR) properties together as a class where they would all have the same fee OR not group the SFR properties together and have a tiered ERU fee structure that bases the ERU fee on the tier at the center of the bell curve of impervious coverage for all properties (tier 2).

Mr. Hulshizer discussed both SFR fee scenarios with the Committee emphasizing that both fee structures result in the same fee for non-SFR parcels such as commercial or industrial parcels. In scenario 'A' where all SFR would pay the same \$4.00/month fee, he informed the Committee that there are 5,656 SFR properties that have 16,522 ksf (thousand square feet) of Impervious Area (IA) total. He said for a SFR rate of \$4 per month, the monthly income from these parcels is \$22,624 and would equal \$1.37 per ksf of IA per month. In scenario 'B' where a tiered approach is taken, the same monthly revenue would be generated and would result in the same total monthly income of \$87,359. In both fee structures, the rate per thousand square foot of IA is the same.

Mr. Hulshizer reviewed the definition of an ERU for each scenario above. For scenario 'A' where all SFR would pay the same rate, one ERU would equal 2,920 sf. This is because it is the average IA of all SFR properties and the calculated monthly fee would be \$4.00. In scenario 'B' under a tiered approach, one ERU would be 2,200 sf and the calculated monthly fee would be \$3.00. Regardless of the ERU rate being different, a large industrial parcel (for example) would pay the same amount. For scenario 'B', it would have more ERUs but the charge per ERU is lower. Thus, the actual fee works out to be the same.

Mr. Hulshizer reviewed options to allow the Borough to hold utility rates for two years. The projected annual revenue need for the program is \$1.2 million in 2021. For scenario 'A' setting the utility fee at \$5.00/month the annual revenue would equal \$1.19 million. For scenario 'B' if the utility fee is \$4.00/month the annual revenue would be \$1.27 million. The annual income need by 2023 is \$1.8 million, so rates would need to be increased for future years. He asked the Committee their thoughts on whether the fee should be kept at \$4 or \$5. Mr. Tarquino noted that it seemed better to use the \$4 tiered rate because it generated more money. Further discussion with the Committee was not

conclusive about which fee structure to recommend or whether it should be set to allow a stable fee for two years.

Mr. Hulshizer reminded the Committee that if you were to implement scenario 'B', one neighbor may pay more than another neighbor.

Mr. Wolgemuth provided a visual example of a single family residential property that includes 2,920 SF of impervious area. This was compared to a commercial/industrial property that (for discussion purposes) includes 10x the amount of impervious area or 29,200 SF. A SFR property would pay \$4.00/month and the commercial/industrial property would pay \$40.00/month. Staff feels as though the proposed fee structure is fair and equitable and would like to gradually ease residents and businesses into the proposed fee increases. They also wanted all SFR property owners to pay the same rate as they do today. Commercial/industrial property owners would be multiplied by IA on their properties. Ms. Christian said that this may be hard to swallow because of the impact it may have on a business such as Kmart; she said she didn't know how they would be able to survive.

Mr. Glenn Dice, 25 Penncraft Ave, asked if the fee would be different if there are more floors to a single family dwelling and was told that it would not change due to additional floors; Mr. Kick confirmed that the square footage is based on the footprint of the building and not the square footage of the living space.

5. CREDIT AND APPEALS

Mr. Hulshizer advised the Committee that the credit should be based on the level of service received and credits can also be used to stimulate interest and actions that would benefit the program. He said the process, once the Policy manual is approved, would be that the property owner would submit an application, the Borough would review the application, an O & M agreement would be established and then the credit would be applied to the next billing cycle. He provided the Committee with some examples to consider. The Committee recommended that credits for BMP and public education be included. They also recommended that at this time credits should not be included for rain barrels, downspout disconnection, adopting an inlet or tree planting. A max credit of 30% was presented based on the variable portion of the budget. The Committee agreed with credit applications not having an application fee, having a 60 day review period, and setting expiration at the discretion of the Borough in 2023 (to correlate with the new MS4 permit).

Mr. Nick Bitner, 333 Eisenhower Drive, inquired about the operation and maintenance of stormwater best management practices. Mr. Wolgemuth replied with the differentiation between public versus private systems. Best management practices on private property would be owned, operated and maintained by the private property owner. Facilities located within the Borough street right-of-way that have been dedicated to the Borough are the responsibility of the Borough.

Mr. Dice asked that if a credit is applied for and obtained would that credit be passed on to a new owner once it is sold or would a new property owner have to reapply. The details of the Credit Policy Manual need to be worked out, however there was discussion about the credits conveying with a property that is sold. Mr. Hulshizer mentioned that the Borough currently has an MS4 permit expiration date of March 15, 2023. The Credit Policy Manual was drafted for credits to be valid until the permit expiration date, but may be revised to expire at the discretion of the Borough and at the same time as the MS4 permit.

Mr. Stottlemeyer advised that the Borough plans to review and update the Credit Policy Manual as needed. New technologies are always being developed in managing stormwater runoff and he would like to be able to offer new credits if and when new technologies are developed that would benefit constituents in the Borough of Chambersburg.

6. PUBLIC OUTREACH

Mr. Hulshizer made the recommendation for a public meeting to be held. The Committee concurred and set September 24, 2019 at 7:00 as the tentative date. He said that the goal is to collect comments in order to take to Council. Council makes the final decision. Mr. Stottlemeyer also recommended for Borough representatives to be available to meet with the larger utility customers to discuss the updated fee structure.

The next meeting will be held on August 20, 2019.

The meeting was adjourned at 4:23 p.m.

Respectfully submitted,



Cindy Harr
Secretary II

BOROUGH OF CHAMBERSBURG

Sign-In Sheet: Storm Sewer Utility Rate Structure and Credit Program Advisory Committee

JULY 16, 2019

GENERAL PUBLIC

	<u>Name</u>	<u>Street Address</u>	<u>Email Address</u>
1.	Nick + KAREN Bitzel	333 Eisenhower Dr.	nbitzel@comcast.net
2.	Janice Cook	936 Geyer DR.	JANCO@PA.NET
3.	Glenn Dice	25 Pennercraft	
4.	JIM MAUR	336 LW#	jmaur@wahi.com
5.	ALLEN COFFMAN	112 PENNSYLVANIA AVE.	
6.	Dodie Maats	1195 S. Main	Dodie1@Comast.net
7.	John Huber	234 S. Coldbrook Ave	johnhuber528@gmail.com
8.	Steve Nizody	Franklin County	
9.	BRANDON STOUT	1191 Franklin Springs rd.	brandon@branddate11.com
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12.			
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17.			
18.			

BOROUGH OF CHAMBERSBURG

Sign-In Sheet: Storm Sewer Utility Rate Structure and Credit Program Advisory Committee

JULY 16, 2019

ADVISORY COMMITTEE MEMBERS AND BOROUGH REPRESENTATIVES

	<u>Name</u>	<u>Organization</u>	<u>Revised Contact Info if Applicable</u>
1.	Ed PETERS JR	CASD	
2.	Phil TARQUINO	FRANKLIN Co.	
3.	Jason Warrenfeltz	Wilson College	
4.	Carla Christian	YMCA	
5.	Ken Adams	KING STREET CHURCH	
6.	Alice Elia	Borough Council	
7.			
8.			
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Storm Sewer Utility Rate Structure and Credit Program Advisory Committee Meeting 6

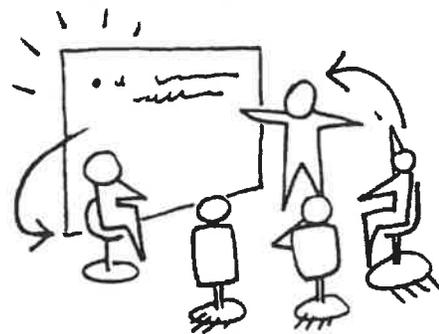


Chambersburg Borough
and
Herbert, Rowland & Grubic, Inc.

July 16, 2019

Agenda

1. Recap, News & Updates
2. Revisit Fee Structure Alternatives
3. Credits and Appeals
4. Public Outreach



Storm Sewer System

- 1) Storm sewer pipes, inlets and related infrastructure located in public rights-of-way:
 - **380,000 feet** of pipe (158,000 in public ROW), 32 miles of open channels, 11 miles alley conveyance, 2758 inlets, 83 detention basins, 39 rain gardens, 103 subsurface detention
- 2) 132 Discharges/Outfalls
- 3) Much constructed by developers
- 4) Condition needs to be assessed
- 5) Much reached end of serviceable life years ago



Goal for Level of Service?

Level of Service	O&M	Planning & Compliance	Capital Improvements
Exceptional	Fully Preventative/ 100% Routine	Comp planning, NPDES compliance	Prioritized/Fully Funded
Comprehensive	Mix of routine & inspection based	Priority Planning	Phased/allocated budgets
Expanded	Inspection based	Reactionary Planning	Inspection-based/moderate budget
Average	Responsive only	Emergency	Critical needs only/minimal budget
Minimal	Non-Responsive	No Planning	No planning/No budget

↑ more proactive



Example capital improvement needs

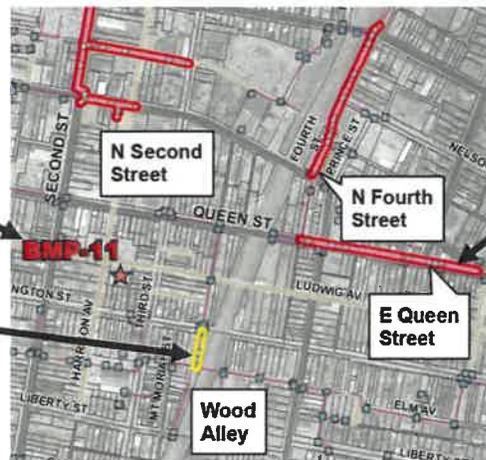


Draft Capital Improvement Plan

Pollution Reduction Project

Maintenance/Repair Project (perhaps with in-house crews)

Part of a Large Bid Project



Budget

To accommodate Incremental Increase to Fee

Year	Annual Revenue Need (M)
2020	1.0
2021	1.2
2022	1.6
2023	1.8



1. Recap, News & Updates
2. **Revisit Fee Structure Alternatives**
3. Credits and Appeals
4. Public Outreach



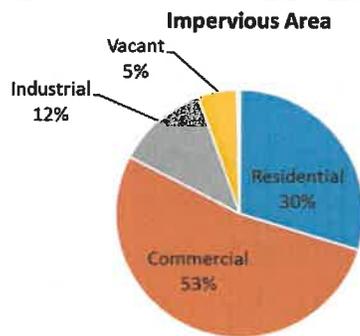
Fee Structure to Meet Budget - alternatives

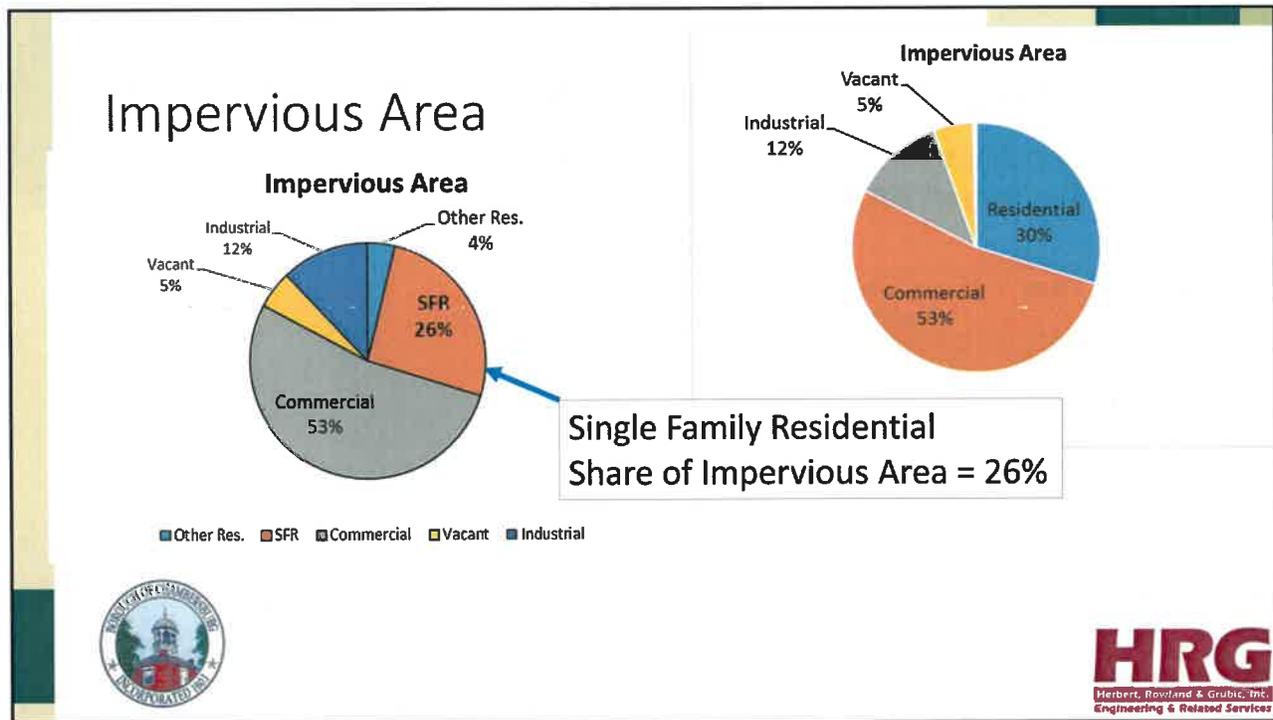
- 1. Group all Single Family Residential (SFR) Together as a Class – all have same fee
- 2. Do not Group all SFR

Year	Annual Revenue Need (M)
2020	1.0
2021	1.2
2022	1.6
2023	1.8



Impervious Area





1. Group All SFR with Same \$4 Fee

5656 SFR properties have 16522 ksf of IA total. For a SFR rate of \$4/month, monthly income from these parcels is $5656 * 4 = \$22624$

$\$22624 / 16522$ ksf equals **\$1.37 per ksf** of IA per month

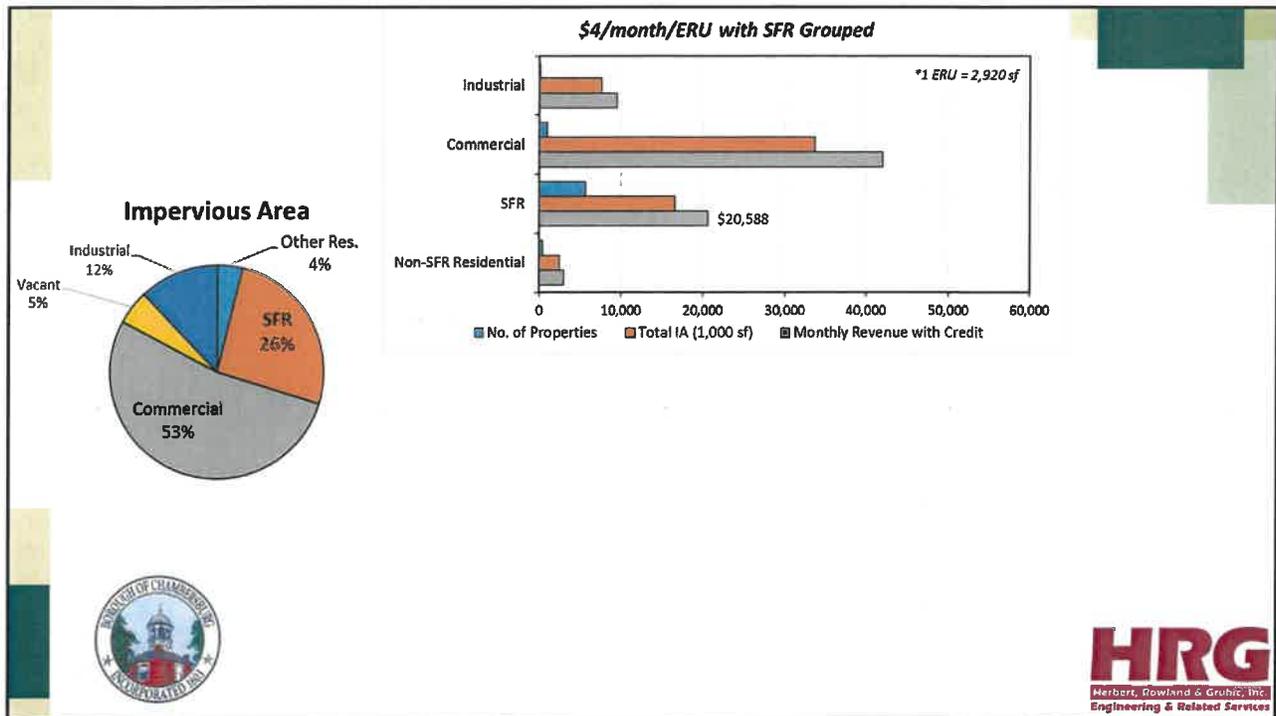
Total monthly revenue from 63766 ksf IA from all parcels is total monthly revenue of $63766 * 1.37 = \$87359$. Allowing 9% reduction from Credits, actual projected monthly revenue is **\$79.5 k**

Projected SFR revenue reduced 9% is \$20.6 k or **26%** of total revenue. This parallels the SFR share of the IA which is $16522 / 63766 = 26\%$



ksf = 1000 square foot



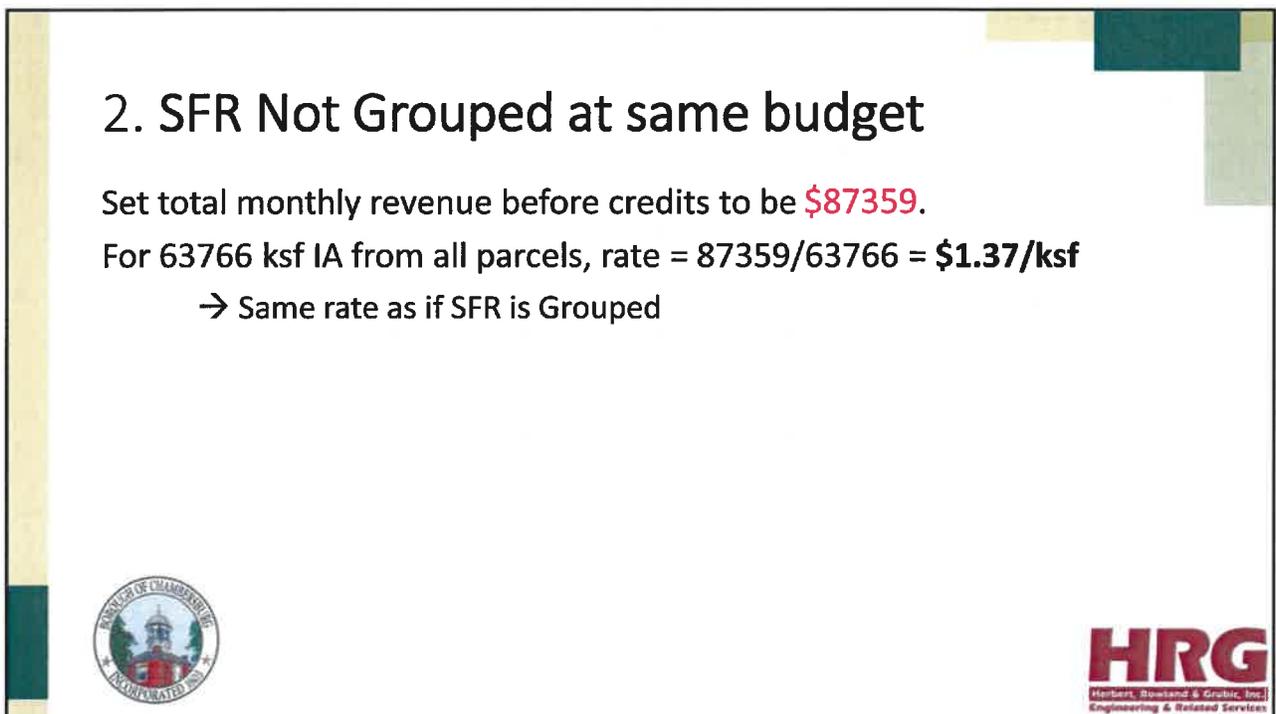


2. SFR Not Grouped at same budget

Set total monthly revenue before credits to be **\$87359**.

For 63766 ksf IA from all parcels, rate = $87359/63766 = \$1.37/ksf$

→ Same rate as if SFR is Grouped



Definition of an ERU

Alternative 1 (SFR Grouped)

1 ERU = 2920 sf because this is the average IA for the SFR Group

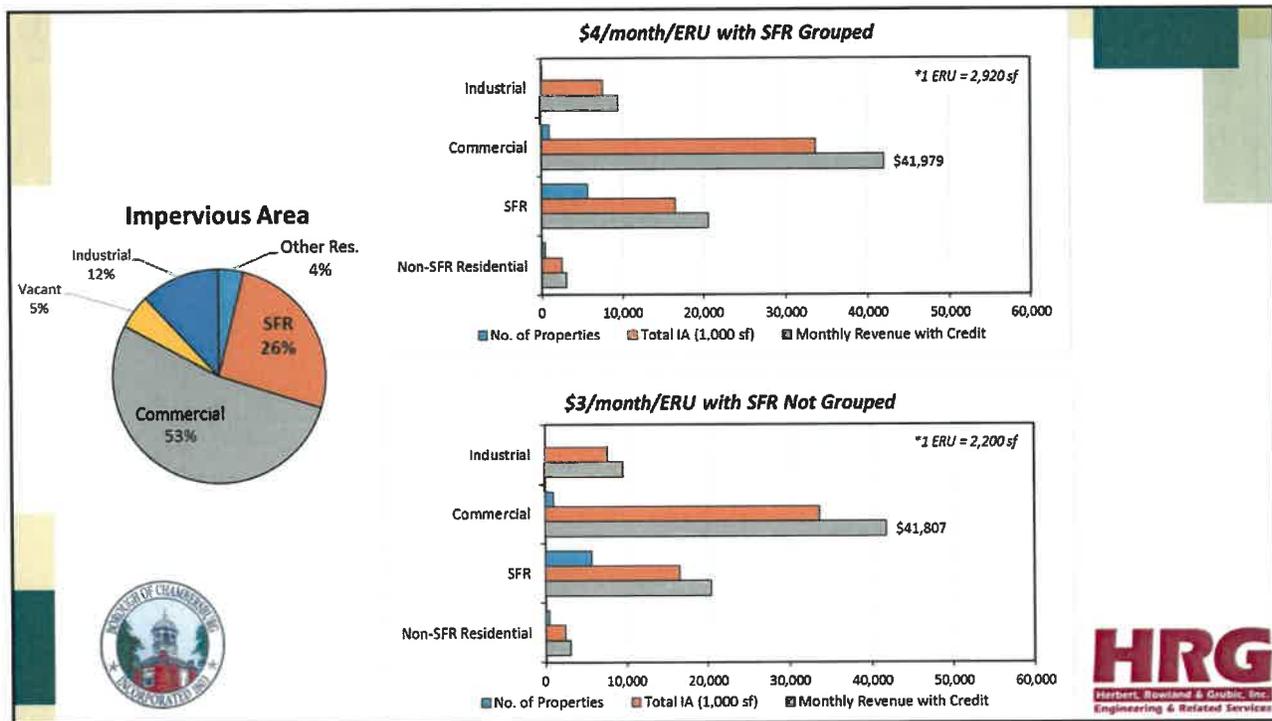
Thus, the ERU rate is \$1.37/ksf * 2920/1000 = \$4

Alternative 2 (SFR Not Grouped)

1 ERU = 2200 sf based on the tiered ERU approach

Thus, the ERU rate is \$1.37/ksf * 2200/1000 = \$3

→ Note that the rate per thousand is still the same



Options to allow holding rate for two years

If SFR Grouped, set ERU at \$5 (so \$1.71/ksf)
annual revenue = \$1.19 M

If SFR Not Grouped, set ERU at \$4 (so \$1.82/ksf)
annual revenue = \$1.27 M

Year	Annual Revenue Need (M)
2020	1.0
2021	1.2
2022	1.6
2023	1.8



1. Recap, News & Updates
2. Revisit Fee Structure Alternatives
3. Credits and Appeals
4. Public Outreach



1. Basics: Private Property Stormwater Management

Benefits to Borough?

- Reduced
 - Rate of Runoff
 - Volume of Runoff
- Increased Water Quality
- Reduced Capital Improvement / O&M Costs



2. Credit Policy Purpose

Consider **level of service** received from the utility
Stimulate interest/actions that benefit program

Any Particular Objectives?



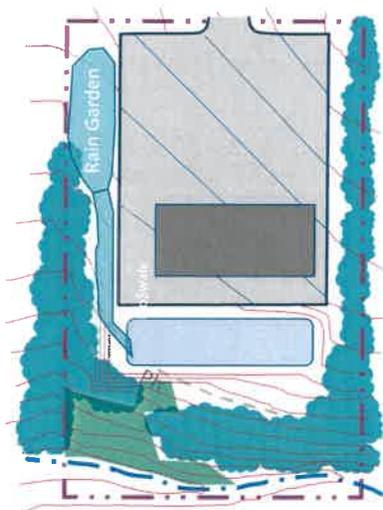
3. Credit and Appeals Process

Approved Policy Manual

- Application by Property Owner (with documentation)
 - Review by Borough
 - O & M Agreement (ensure long term benefit to program)
 - Credit applied to next billing cycle



4. Credit's Effect on Billing



Building =	8,000 sf
Parking Lot =	14,000 sf
Total Impervious Area	22,000 sf
ERU =	<u>2,200 sf</u>
TOTAL ERU's =	10 ERUs
20% BMP Credit	- 2 ERUs
Resultant Billed ERUs	8 ERUs



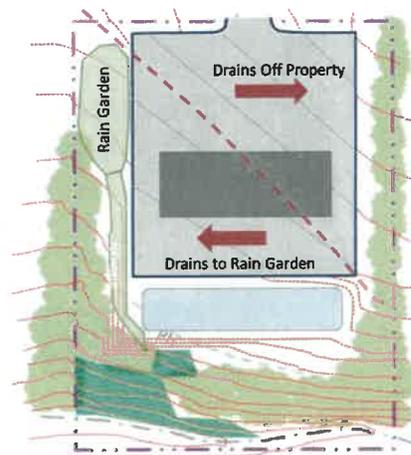
5. Some Credit Types

- BMPs: Peak, Volume, Water Quality
 - Variable portion of budget
 - Meet current standards
 - Permeable Paving
- Public Education: to host/attend?
- Other
 - Rain Barrels?
 - Downspout disconnection?
 - Adopt an Inlet?
 - Trees? Donate to Shade Tree Commission?
 - Stormwater Partnership



Credit Considerations

1. Effort to Manage Credit Program
2. Program Cost Reduction; Fixed vs Variable Costs
3. Portion of IA



Credit Considerations

1. Effort to Manage Credit Program
2. Program Cost Reduction; Fixed vs Variable Costs
3. Portion of IA
4. Previous improvements
5. Min Fee and Max Credit
6. Charge to apply; account current
7. Time to review (60 days?)
8. Term; renewal
9. When to implement policy
10. Available to all parcel sizes?
11. Ensure Meeting Standards
 - PE?, annual report, inspection, easements



1. Recap, News & Updates
2. Revisit Fee Structure Alternatives
3. Credits and Appeals
4. Public Outreach



Public Meeting

- Dates
- Review content next month?



Current Process for Developing Updated Program & Reviewing Funding Methods

1. Form an Advisory Committee
2. Review Existing Storm Sewer Program
3. **Ongoing Public Education**
4. Define Responsibilities and **Budget** Needs
5. Review Operations & Management Structure
 - Billing, Staffing, Department
6. Develop and Analyze **Rate Structure**
 - Analysis of Impervious area on individual parcels
7. Adopt Necessary Ordinances
8. Establish **Credit Policy**



Chambersburg Borough

**Chambersburg Borough
Franklin County, Pennsylvania**

Storm Sewer Management Program Credit Policy Manual

Last Modified: July 2019

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Introduction

This Manual provides Chambersburg Borough (Borough) Storm Sewer Management Program customers with details on the Credits available to reduce their quarterly Storm Sewer Management Program (SMP) Fee. Credits are provided as a means for customers to reduce the amount of their quarterly fee by implementing a creditable Best Management Practice activity to reduce the contribution of stormwater and pollutants to the Borough's storm sewer management system and/or to aid the Borough in meeting its MS4 Permit obligations.

Storm sewer management is important to our community. It is necessary to manage pollutant-laden runoff generated by impervious surfaces so that it does not have a harmful effect on streams and reduce the potential of flooding and associated property damage. The Borough is in the process of developing and implementing a comprehensive Storm sewer Management Program to provide enhanced stormwater management to property owners in the Borough.

The foundation of an effective SMP is the development of a fair and equitable SMP Fee to provide for a dedicated and reliable revenue stream. Revenues generated by the SMP Fees will support the SMP and its goals to: ensure MS4 Permit regulatory compliance, improve water quality, support strategic planning for capital improvements, support effective infrastructure operation and maintenance, and promote the education of the community on practices to improve the quality of water resources.

The *Storm Sewer Management Program Fee Resolution* defines how properties within the storm sewer service area will be assessed fees based upon Impervious Area (IA). All property owners may reduce their fee by up to 30%, if they apply and qualify for credits made available by the credit system. This Manual will provide the user with the procedures to follow in order to apply for credits from the Borough.

Disclaimer

By submitting a Storm Sewer Management Program Fee Credit Application pursuant to the Credits Policy Manual, the Property Owner acknowledges and agrees that he and his heirs, grantees, successors, and assigns shall be solely responsible and liable for the operation and maintenance of any and all Best Management Practices ("BMPs") constructed, installed, or employed by the property Owner. The Borough shall not be responsible for or liable with respect to the operation and maintenance of any BMP, or any damages arising therefrom.

Definitions

The following definitions apply to the Storm Sewer Management Program Credit Policy Manual. Any term not defined by this section can be defined by the *the Borough's Storm Sewer Management Program Fee Resolution* currently in effect and *the Borough's Rules and Regulations*, to the extent not contradictory.

Best Management Practices (BMPs) - Activities, facilities, designs, measures or procedures used to manage stormwater impacts from regulated activities, to meet state water quality requirements, to

promote groundwater recharge, and to otherwise meet the purposes of the Storm Sewer Management Program. Stormwater BMPs are commonly grouped into one of two broad categories or measures: "nonstructural" or "structural". "Nonstructural" BMPs are measures referred to as operational and/or behavior-related practices that attempt to minimize the contact of pollutants with stormwater runoff whereas "structural" BMPs are measures that consist of physical devices or practices that are installed to capture and treat stormwater runoff. Structural BMPs include, but are not limited to, a wide variety of practices and devices, from large-scale wet ponds and constructed wetlands, to small-scale underground treatment systems, infiltration facilities, filter strips, low-impact design, bioretention, wet ponds, permeable paving, grassed swales, riparian or forested buffers, sand filters, detention basins, and manufactured devices.

Credit – A discount in the form of a percentage that can be applied to an owner’s storm sewer fee when proper stormwater control techniques are displayed.

Developed Parcel – A parcel that contains impervious area equal to or greater than 500 square feet.

Impervious Area (Impervious Surface) (IA) – A surface that prevents the infiltration of water into the ground. Impervious surface (or area) includes, but is not limited to, roofs, additional indoor living spaces, patios, garages, storage sheds and similar structures, swimming pools, paved parking or driveway areas, and private streets and sidewalk. Any surface areas initially proposed to be gravel or crushed stone shall be assumed to be impervious areas.

Inlet – A surface connection to a closed drain. A structure at the diversion end of a conduit. The upstream end of any structure through which water may flow.

Outlet – Points of water disposal from a stream, river, lake tidewater or artificial drain.

PADEP - Pennsylvania Department of Environmental Protection.

Pennsylvania Stormwater Best Management Practices (BMP) Manual - The most recent version of the Pennsylvania Stormwater Best Management Practices Manual.

Peak Rate Control – A credit that can be applied for utilizing proper stormwater rate control techniques. Example: Detention tanks/basins with a controlled outlet.

Stormwater – Drainage runoff from the surface of the land resulting from precipitation, snow or ice melt.

Storm Sewer Management Fee - Sums assessed, imposed, and to be collected from each developed lot, parcel, building or portion thereof which uses, benefits from or is serviced by the Storm Sewer Management System or which discharges stormwater, directly or indirectly, into the public Storm Sewer Management System, for the use of and the service rendered and improvement of such system and additionally for the administration and operation of the Storm Sewer Management Program.

Volume Control – A credit that can be applied for utilizing proper stormwater volume control techniques. Example: Infiltration basins, filtration basins, rain gardens, etc.

Water Quality Benefit - increasing surface water runoff quality as outlined in the Pennsylvania Stormwater BMP Manual or as defined in the PA MS4 guidelines; whichever are more restrictive.

Credits and Credit Policies

General Policies

1. It is the Owner's responsibility to apply for credits and supply all of the necessary materials.
2. Specified Credits are available to all property Owners.
3. The maximum amount of credit received **shall not exceed 30%** per property, unless a property is granted a large Credit under the Stormwater Partnership Credit.
4. **Accounts must be current in order to receive Credit(s) conferred by these policies.** Credits will be revoked if an account is overdue more than 90 days. Upon becoming current, property owner may reapply to reinstate the revoked credits.
5. Credits will be revoked where qualified BMPs are not maintained.
6. Complete applications will be reviewed with determination made within 60 days of submission. (Incomplete applications will be returned for correction). Credits will become effective at the beginning of the next billing cycle.
7. There is no credit application fee. However, property owners may be required to establish an escrow account of \$2,000 for specific credits to cover professional services for review of the application. Application fees are subject to adjustment January 1 of each year. Refer to the Applying for Credit section of this document for additional detail.
8. Credits expire March 31, 2023 unless otherwise determined by the Borough. At that time the Credit Policy will be reevaluated.
9. In the event of a **change of ownership, the new Owner must reapply for Credits** to verify change in Maintenance Agreement and associated Credit requirements.
10. The Borough has full discretion over the credit process.

Eligibility

To be eligible for a Credit, the property must have been assigned a minimum of 500 SF of IA and there must not be any outstanding and unpaid SMP Fees against the property. Owners must submit the appropriate Credit Application along with any documentation required by the Borough.

Credit Details

Owners may apply for one or more Credits, and the Credits will be cumulative up to a maximum Credit of 30% of that property's SMP Fee. In no circumstance may a Credit or group of Credits reduce the applicable SMP Fee to an amount that is less than 70% of the SMP Fee for that property, unless the property meets the requirements of Stormwater Partnership Credit. **Credit reduction is proportional to the IA that drains to the BMP.**

The SMP Fee with approved Credits will be calculated as follows:

$$\text{SMP Fee} = \text{Original SMP Fee} \times [1 - \text{Approved Credit(s)}]$$

Example 1: A property owner has 10,000 sf of IA . The owner connects half of the IA (5000 sf) to a BMP receiving 30% credit.

$$\begin{aligned} \text{Percentage of Impacted IA} &= (5000 \text{ sf IA} / 10,000 \text{ sf Total IA}) = 50\% \\ \text{Approved Credits} &= 30\% \text{ credit applied to } 50\% \text{ of the Total IA} = 15\% \\ \text{SMP Fee} &= \text{Original SMP Fee} \times [1 - 0.15] \end{aligned}$$

Summary of Available Credits

Table 1. Summary of Available Credits

Credit	Max Credit
Peak Rate Control / Volume Control Structural BMP	30%
Permeable Pavement	30%
Education Credit	15%
Stormwater Partnership Credit	TBD

Credits

Peak Rate Control / Volume Control Structural BMP

Structural BMPs that control for the rate, volume, and water quality of stormwater generated on the property are eligible for Credit. The maximum credit for peak rate and volume control is 30%.

Peak rate management BMP's designed and approved in accordance with the Chambersburg Borough Stormwater Management Ordinance adopted on June 20, 2004 or later will be eligible for up to 20% Rate Credit for the 100-year design storm event. This is in addition to any volume control credit as noted below. Land owners shall maintain, in perpetuity, volume control and water quality BMP's in the approved condition according to the terms of 25 Pa. Code Chapter 102 prevailing at the time of approval and provide annual documentation of the same to the Borough.

Volume control and water quality BMP's designed and approved in accordance with 25 Pa. Code Chapter 102 NPDES Permitting requirements on or after January 1, 2008 will be eligible for up to a 10% volume control / water quality credit. This is in addition to any peak rate control credit noted above. Owners shall maintain, in perpetuity, volume control and water quality BMP's in the approved condition according to the terms of 25 Pa. Code Chapter 102 prevailing at the time of approval and provide annual documentation of the same to the Borough.

A detailed inspection schedule and maintenance schedule shall be developed. The maintenance schedule should include a detailed step by step procedure on how the control system shall be maintained in order to work in perpetuity. Include contact information of the person responsible for the O&M in accordance with Section 313 BMP Operations and Maintenance Requirements. Inspection and maintenance logs should be maintained. All control systems shall be contained within a minimum 20 foot SWM easement. Access to the SWM easement shall be provided from the nearest public right-of-way.

Existing BMPs can be retrofitted to provide new function and would be eligible for Credits for the existing and new functions. The Credits only apply to the IA controlled by the BMPs. Peak rate, volume control, and water quality calculations shall be in compliance with the Code of the Borough. Previously installed control systems may also apply for this Credit assuming they are in proper working order and are approved by a Pennsylvania licensed professional engineer. Credits will be prorated to the amount of IA managed relative to total IA on site.

Permeable Pavement

A Credit of up to 30% will be granted for those Owners who install permeable pavement (sometimes called pervious pavement or porous pavement) or pavers for driveways, parking lots, patios, sidewalks, etc. Permeable pavement that was installed in accordance with the Pennsylvania Stormwater Best Management Practices Manual and has an existing Operations and Maintenance (O&M) agreement with the Borough will be considered for the Credit. Credit percentage will be evaluated based on the type of permeable pavement. Credits will be proportional to the amount of IA managed by the BMP.

Education Credit

The Borough encourages both public and private educational systems (K-12) to educate and inform their students on the importance of surface water, ground water, and stormwater resources, and how they can play a role in preserving and restoring the physical, chemical, and biological integrity of our water resources.

The educational program may include participation in a water resource-themed student poster session or science fair, take-home materials, classroom lessons, field trips, etc. The educational program/materials must be preapproved by the Borough. The following list of educational resources and materials are provided as examples, but is not meant to exclude other educational material that may be approved by the Borough:

- PSU Extension: *Rain to Drain – Slow the Flow*
- EPA NPDES Stormwater Outreach Materials and Reference Documents
- EPA Teacher Resources and Lesson Plans
- EPA Water Science and Technology for Students and Educators
- USGS Education Resources
- Soil Science Society of America: *Soils 4 Teachers*

A school with more than 50% of its students enrolled in levels below Kindergarten (i.e. pre-K, pre-school, daycare, etc.) is not eligible for an Education Credit. Eligible education institutions may be granted up to a 15% Credit based on the following criteria:

- **Level One Education Credit:** A 10% Education Credit is available to a qualifying education institution which educates 50% to 74% of the grade levels within the school or school system.
- **Level Two Education Credit:** A 15% Education Credit is available to a qualifying education institution which educates 75% to 100% of the grade levels within the school or school system.

Education Credits only apply to the IA associated with the teaching facility and associated infrastructure. For example, the Credits would be applied to a High School building and its parking lot, but not to the School District Administrative offices that oversee the High School. Student living quarters, such as dorms, are also not eligible for Education Credits. Education Credits are valid for one (1) year but will be renewable each year the curriculum is taught.

Libraries, religious organizations, and other non-profits are also eligible for the education credit. Interested parties should contact the Borough to discuss an education plan specific to their capabilities.

Stormwater Partnership Credit

The ultimate goal of the stormwater program and credit policy is to improve local and regional water quality. Therefore, customers are encouraged to propose other means to improve their property and our community through the use of innovative stormwater technologies. If a stormwater customer has an idea for a project that could be worth stormwater credits, the Borough encourages the customer to submit the project idea under the Stormwater Partnership Credit. Credit will be based upon benefit analysis demonstrating actual cost reduction to be realized by the Borough.

Applying for Credit

Pre-Application Meeting and Field Review

A number of proposed Credits will require a pre-application meeting and/or a field review with the Borough. All Owners interested in installing a new BMP or retrofitting an existing BMP should submit the Pre-Application Meeting Request form provided in Attachment C to the Borough. The Borough will contact the Owner to schedule a mutually agreeable meeting date and time or provide notification if the specific installation does not necessitate a pre-application meeting.

Design Standards

All proposed BMPs shall comply with the applicable design standards set forth in the municipal ordinances for which the property is located and Pennsylvania Stormwater Best Management Practices Manual including, but not limited to, the use of appropriate professionals, such as Professional Engineers, Professional Geologists, Landscape Architects, Soil Scientists, etc. when required. When applicable, karst hazards, soil investigations, infiltration testing, or other pertinent site-assessment activities should be conducted.

Credit Application

In order to receive Credit, all Owners must follow the subsequent application process. Materials can be mailed to the Borough at 100 S 2nd St, Chambersburg, PA 17201, Attn: Storm Sewer Credit Administrator or delivered to the Borough at the same address. Properly submitted applications will be reviewed by the Borough within 60 days of submission, unless extended by good cause shown. The applicant will be notified in writing whether or not the credits applied for were approved. Unapproved applications will have 60 days to resubmit before their application is terminated. Approved applicants will receive a letter along with a credit agreement that must be signed and returned to the Borough within 60 days (failure to do so will terminate the Credits). Credits will then be applied to the next billing period. Credits will be valid until March 31, 2023, after which time they may be eligible for reapplication. Separate Credit applications must be submitted for each tract of land.

The following documentation must be submitted for an application to be reviewed:

1. Completed and signed credit application form.
 - a. Application forms are available in Attachment A, online at the Borough website, and at the Borough office (located at the address listed above).
2. Photographs of the site showing layout, inlets, outlets, etc.
3. Owner's Operation and Maintenance Plan.
4. Previous 1 year maintenance log. (Existing facilities only)
5. Application fee if one is established.
6. For some applications, a \$2,000 Escrow must be established to cover professional services related to review and processing of the application. If at any time funds are drawn below \$500 the escrow account must be replenished for the application review to proceed. Larger escrow amounts may be required for larger applications with multiple BMPs for review.
7. The Borough has the right to require submission of design documentation, as-built or construction drawings, and an engineering analysis from a Pennsylvania licensed professional engineer. Notification of this requirement will be provided in response to the Pre-Application Meeting Request.

8. The Borough has the right to require documentation from a licensed engineer that the facility is in proper working order. (Existing facilities only).
9. Additional documentation may be required at the request of the Borough.

Maintenance Policies:

All who receive Credits will be required to sign a Maintenance Agreement, substantially in the form attached to this document, which references an Operations and Maintenance Plan outlining any and all maintenance that will be required to continually qualify. The basic minimum maintenance requirements that should be listed in an Operation and Maintenance Plan are, but not limited to:

- Sediment shall be removed when approximately 30% of storage volume of the facility is filled.
- Any sediment traps shall be cleaned when filled.
- No woody vegetation shall be allowed to grow on embankments unless called for in the facility's design.
- Debris shall be removed from the inlet, outlet, and any other structures that have the potential to clog. All systems should be checked at minimum 4 times per year and within 48 hours after any major rain events of >1".
- Documentation of inspections must be submitted by July 1st of each year.
- Provide previous year's maintenance log must be submitted by July 1st of each year.
- Control structures shall remain unaltered, intact, and functioning as originally designed.
- See Pennsylvania Stormwater BMP Manual for system specific inspection details.

The Borough has the right to inspect all systems to ensure they are working properly. If a system is found to be operating inadequately, the Owner will be notified in writing of the deficiencies. If the Owner does not make the necessary corrections within 45 days any and all Credits may be revoked. If Owner fails to submit annual reporting documentation by deadline listed above Credits may be revoked.

Appeals

Appeal Impervious Area Assessment

If a property owner feels that their Impervious Area estimate is incorrect they may appeal it. Similarly any property owner who believes stormwater fees have been assessed for a parcel they do not own shall notify the Borough. Note that review of the Impervious Area may cause the assigned estimate to increase as a result of the appeal.

Appeal forms are available in Appendix D, online at the Borough website, and at the Borough office. There is no processing fee for appeal applications. Materials can be mailed or personally delivered to the Borough office. Within 60 days of being received, the Borough will contact the owner with information about the status of the application as well as instructions about how to proceed. Questions about a given IA assessment can be made by contacting staff at the Borough office during regular business hours.

Attachment A – Credit Application

Storm Sewer Credit Application

Credit Application Instructions

1. This form is provided to storm sewer customers who believe they qualify for an approved Storm Sewer Credit. Customers should review the Credit Manual for eligibility requirements for Credits.
2. Please fill out all sections on the first page of the form, except for the last section marked "For Borough Use Only". Please fill out all applicable sections on pages 1 and 2 related to the Credits you are applying for.
3. You may attach supporting documentation to the form. Please note that any submitted documentation will not be returned to the customer. Please mail completed form to:

Chambersburg Borough
100 S 2nd St, Chambersburg, PA 17201
Attn: Storm Sewer Credit Administrator

4. A Borough representative will review the Storm Sewer Credit Application Form within 60 days of receipt of the completed form.

Attached Documents

The following documentation must be submitted for an application to be reviewed

1. Completed and signed credit application form.
2. Photographs of the site showing layout, inlets, outlets, etc.
3. Owner's operation and maintenance plan.
4. Previous year's maintenance log. (Existing facilities only)
5. Application fee if one is established.
6. Escrow deposit of \$2,000 if applicable.
7. The Borough may require for the following additional documentation to be submitted:
 - a. Design documentation, as-built or construction drawings, and an engineering analysis from a Pennsylvania licensed professional engineer.
 - b. Documentation from a licensed engineer that the facility is in proper working order. (Existing facilities only)
 - c. Other documentation as may be required at the request of the Borough.

Please review the Borough's Storm Sewer Management Program Credit Manual before applying

Select the credit(s) being applied for (check applicable boxes):

<input type="checkbox"/> Peak Rate Control / Volume Control Structural BMP	<input type="checkbox"/> Education Credit
<input type="checkbox"/> Permeable Pavement	<input type="checkbox"/> Stormwater Partnership Credit

Customer Information

Owner's Name: _____

Phone Number: _____ Alt. Phone Number: _____

E-mail: _____

Property Address: _____

Mailing Address: _____

Account Number: _____

Storm Sewer Credit Application Form

Rain Barrels

Please enter either the number of rain barrels:

_____ Total number of downspouts connected to a rain barrel or other eligible containment device.
Please attach any supporting information.

Additional Credits

If you are applying for any of the following credits, the Borough will contact you to discuss the details of the credit after you submit page 1 of the application.

- Credits related to BMPs
- Permeable Pavement
- Education Credit
- Stormwater Partnership Credit

Confirmation of Credit Conditions and Borough Access Rights

I, (please print name) _____ agree to all conditions of the Credits I have applied for as outlined in the *Chambersburg Borough Storm Sewer Management Program Credit Manual*. Additionally, I agree that Chambersburg Borough may at reasonable times enter my property to inspect the property or condition or operation of BMPs.

Signature: _____ Date: _____

FOR BOROUGH USE ONLY

Date Received: _____	Credit(s): <input type="checkbox"/> Granted <input type="checkbox"/> Denied
Date Reviewed: _____	% Credit to be Applied: _____
Date of Credit Expiration: _____	Reviewer: _____

Attachment B – Maintenance Agreement

Maintenance Agreement Form

Owner's Name: _____
Phone Number: _____ Alt. Phone Number: _____
E-mail: _____
Property Address: _____
Mailing Address: _____
Account Number: _____

THIS AGREEMENT, made and entered into this _____ day of _____, 20____,
by and between _____, (hereinafter the "Landowner"), and the
Chambersburg Borough (the "Borough");

WITNESSETH;

WHEREAS, the Landowner is the owner of a certain real property in the Borough's storm sewer service area, located at _____ recorded by deed in the land records of Franklin County, Pennsylvania, Deed Book ____ at Page ____ and identified by Parcel Identification (ID) Number(s) _____ (hereinafter the "Property");

WHEREAS, the Landowner has installed or agrees to install, certain Best Management Practices to manage stormwater impacts associated with the Property ("BMPs"), as more specifically depicted and described in the Operation of Maintenance Plan (the "Plan") attached hereto and incorporated herein as Exhibit "A";

WHEREAS, the Borough and the Landowner, for itself and its administrators, executors, successors, heirs, and assigns, agree that the health, safety, and welfare of the residents of the Borough and the protection and maintenance of water quality require that stormwater practices and conveyances be properly constructed and maintained on the Property;

WHEREAS, the Borough, through the implementation of the Plan, requires that the BMPs, as designed in the Plan, be adequately operated and maintained by the Landowner, in order for the Landowner to obtain and maintain a credit against the Landowner's storm sewer utility fee.

NOW, THEREFORE, in consideration of the foregoing promises, the mutual covenants contained herein, and the following terms and conditions, the parties hereto, intending to be legally bound hereby, agree as follows:

1. The Landowner, its successors and assigns, shall operate and maintain all stormwater management facilities and BMPs on the Property as shown on the Plan in good working order in accordance with the specific maintenance requirements noted on the Plan for the duration of the approved credit period.

2. The Landowner, its successors and assigns, agrees to all specifications made by the Borough's Storm Sewer Credit Policy Manual, the Stormwater Management Ordinance of the Borough, applicable PADEP requirements, and any documents referenced by the previously mentioned.
3. The Landowner, its successors and assigns, hereby grants permission to the Borough, its authorized agents, and employees to enter upon the property, at reasonable times and upon presentation of proper credentials, to inspect the stormwater management facilities and BMPs periodically in the discretion of the Borough. Whenever possible, the Borough shall notify the Owner prior to entering the property.
4. The Landowner, its successors and assigns, shall inspect the stormwater management facilities and BMPs and submit annual an inspection report to the Borough no later than **June 30th** of each year. The purpose of the inspection is to assure safe and proper functioning of the facilities. The inspection shall cover the entire facilities, plantings, berms, outlet structure, pond areas, access roads, etc. Deficiencies shall be noted in the inspection report.
5. The Landowner, its successors and assigns, shall not authorize, undertake or permit alteration, abandonment, modification or discontinuation of the stormwater management facility or BMPs except in accordance with written approval of the Borough.
6. The Landowner, its successors and assigns, shall undertake necessary repairs and replacement of the stormwater management facility or BMPs at the direction of the Borough or in accordance with the recommendations of a Pennsylvania Licensed Professional Engineer.
7. In the event the Landowner, his successors and assigns, fails to operate and maintain the stormwater management facility or BMPs as specified in the Plan, the Borough reserves the right to revoke any credits awarded by the stormwater credit system.
8. It is the intent of this agreement to ensure the proper maintenance of the stormwater management facilities or BMPs by the Landowner, its successors and assigns; provided, however, that this Agreement shall not be deemed to create or effect any additional liability of any party for damage alleged to result from or caused by stormwater runoff.
9. The Landowner, its successors and assigns, shall indemnify and hold harmless the Borough and its agents and employees against any and all damages, accidents, casualties, occurrences or claims which might arise or be asserted against the Borough for the construction, presence, existence or maintenance of the stormwater management facilities or BMPS by the Landowner, its successors and assigns.
10. This Agreement shall be recorded among the land records of Franklin County, Pennsylvania, and shall constitute a covenant running with the Property and/or equitable servitude, and shall be binding on the Landowner, his administrators, executors, assigns, heirs and any other successors in interest, in perpetuity.

ATTEST:

Witness the following signatures and seals:

(SEAL)

For the Chambersburg Borough

For the Owner:

Date:

Attachment C – Pre-Application Meeting Request Form

Storm Sewer Credit Pre-Application Meeting Request Form

Pre-Application Meeting Request Instructions

1. This form is provided to storm sewer customers who want to install a new BMP or retrofit an existing BMP to become eligible for storm sewer Credit. Customers should review the Borough's Credit Manual for eligibility requirements for Credits.
2. Please fill out all sections on the form, except for the last section marked "For Borough Use Only".
3. Please mail completed form to:

Chambersburg Borough
100 S 2nd St, Chambersburg, PA 17201
Attn: Storm Sewer Credit Administrator
4. A Borough representative will review the Storm Sewer Credit Application Form within 60 days of receipt of the completed form.

Please Mark All That Apply

- I want to install a new BMP
- I want to retrofit an existing BMP
- I have an idea for a project that might qualify for the Stormwater Partnership Credit
- Other: _____

Customer Information

Owner's Name: _____

Phone Number: _____ Alt. Phone Number: _____

E-mail: _____

Property Address: _____

Mailing Address: _____

Account Number: _____

Parcel ID (if known): _____

FOR BOROUGH USE ONLY

Date Received: _____	_____
Date Reviewed: _____	Reviewer: _____

Attachment D – Appeal Form

Stormwater Appeal Form

Appeals Instructions

1. This form is provided to customers who have reduced their Impervious Area coverage.
2. Please fill out all sections on the form, except for the last section marked "For Borough Use Only".
3. You may attach supporting documentation to the form. Please note that any submitted documentation will not be returned to the customer. Please mail completed form to:

Chambersburg Borough
100 S 2nd St, Chambersburg, PA 17201
Attn: Storm Sewer Credit Administrator

4. A Borough representative will review the Appeal Form within 60 days of receipt of the completed form.
5. Approved adjustments will be applied to the current stormwater bill and all future billings.

Appeal Information

Impervious Area Estimate (optional): _____

Customer Information

Owner's Name: _____

Phone Number: _____ Alt. Phone Number: _____

E-mail: _____

Property Address: _____

Mailing Address: _____

Account Number: _____

Please provide a brief description as to why this change is necessary:

Signature: _____ Date: _____

FOR BOROUGH USE ONLY

Date Received: _____	Appeal: <input type="checkbox"/> Granted <input type="checkbox"/> Denied
Date Reviewed: _____	Change to be Made: _____
Date of Application: _____	Reviewer: _____