

APPENDIX A

MINOR STORMWATER MANAGEMENT PLAN

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APPENDIX A.1

Frequently Asked Questions

Minor Stormwater Management Plan
per Sections 106.D & E of this Ordinance

(Minor SWM Plan)

Frequently Asked Questions
Minor Stormwater Management Plan (Minor SWM Plan)
per Sections 106.D & E of this Ordinance

What activities come under Minor SWM Plan requirements?

Per the East Nantmeal Township Stormwater Ordinance, Section 106.B, activities with between 1,000 and 2,000 sq. ft. of impervious surface or between 5,000 and 10,000 sq. ft. earth disturbance may use Minor SWM Plan requirements. Per Section 106.E, agricultural structures up to 15,000 sq. ft. may use Minor SWM Plan requirements. See the Stormwater Ordinance for more detail.

What's a Best Management Practice (BMP)?

A BMP is a facility constructed to manage stormwater impacts by providing water quality treatment, groundwater recharge through infiltration, volume reduction and peak rate control. BMPs include but are not limited to those listed and shown in the Minor SWM Plan, BMP Worksheets (Worksheets) that follow. See the Stormwater Ordinance definition of BMP for more detail.

Do I require professional services to meet these requirements?

No. The goal of the Worksheets is to allow the individual to complete the calculations showing compliance with the infiltration goals of the Stormwater Ordinance, also your contractor may complete the Worksheets for you. If the steps presented in the Worksheets are able to be followed, the individual does not require professional services; however, the information is technical in nature so please call for assistance if necessary.

What do I need to Submit?

The items to be submitted are:

- Grading Permit Application with fee
- Minor SWM BMP Worksheets including Site Sketch Plan
- Operation, Maintenance & Inspection Plan & Agreement for Minor SWM Plan

Basic information is needed regarding the proposed activity and the BMP(s) chosen to manage the stormwater runoff, including but not limited to the types of materials used, total impervious areas and volume calculations. Completion of the Worksheets will provide the needed information. In addition, a simple Site Sketch Plan (see example) showing the location of following features (existing and proposed) shall be submitted:

- a. structures, driveways and other paved surfaces (all impervious areas) with approximate dimensions in feet,
- b. BMPs,
- c. erosion control measures, and
- d. on-site septic system & wells (potable) showing rough proximity to infiltration facilities.

Completing the Worksheets and submitting them with the Grading Permit application should provide sufficient information for review for compliance with the requirements.

APPENDIX A.2

Minor Stormwater Management Plan Best Management Practices Worksheets

(Minor SWM BMP Worksheets)

Minor SWM BMP Worksheets
East Nantmeal Township

Stormwater management design for earth disturbance activities qualifying under Section 106 as Minor Stormwater Plans must address the intent of the SW Ordinance by managing the increase in runoff through infiltration facilities. To determine the size of infiltration facilities, utilize a factor of 0.083 times the impervious area. This reflects the infiltration of one (1) inch of stormwater runoff from the impervious surfaces (in feet).

STEP ONE: DETERMINE REQUIRED VOLUME	
PROPOSED TOTAL AREA of IMPERVIOUS COVER Includes all areas of buildings, paving, concrete and compacted gravel that are part of the proposed work.	sq. ft.
Multiply by 0.083	x 0.083
Infiltration VOLUME REQUIRED – Total	cu. ft.

Details of the BMP’s listed below are provided as guidelines. For additional information on how these BMP’s function and ideas of other BMP’s refer to the “Pennsylvania Stormwater Best Management Practices Manual” latest edition prepared by the DEP.

STEP TWO: SELECT BMP(s) TO BE UTILIZED	
BMP NAME	(How Many)
1. Infiltration Basin	
2. Infiltration Bed	
3. Infiltration Trench	
4. Rain Garden	
5. Vegetated Swale w/ Check Dam	
6. Cistern/Rain Barrel	
7. Pervious Paver Blocks	
8. Other*	
TOTAL (use of 2 encouraged)	

* As approved by the Township Engineer. Provide additional information as needed.

The first six BMP’s listed are Infiltration BMP’s and as such should be located on the site in areas with the most suitable soil. Areas of wet or poorly drained soils should be avoided.

Infiltration BMP's should also be located with the following minimum setbacks:

- Ten (10) feet down gradient from a building basement
- One hundred (100) feet up gradient from a building basement
- Ten (10) feet from property lines
- One Hundred (100) feet from wells
- ten (10) feet from septic system drain fields (or per Pa DEP)

BMP Installation Guidelines:

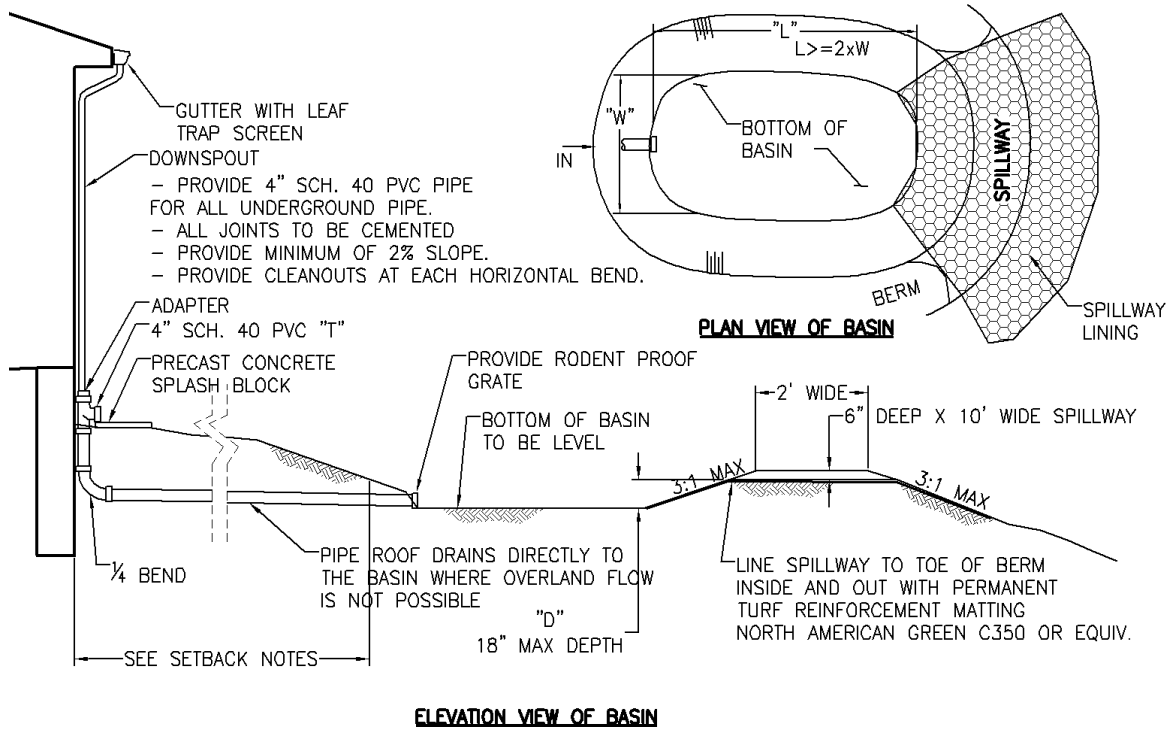
1. BMPs shall be protected during construction to prevent sediment-laden (muddy) water from entering the facility.
2. Excavation for the BMP's shall be conducted in a manner that will not compact the bottom of the facility.
3. For subsurface facilities, the bottom of the facility shall be scarified immediately prior to the placement of geotextile.
4. Geotextile shall be placed in accordance with the manufacturer's specifications. Seams shall be overlapped a minimum of 16 inches.
5. The area of the BMP shall be fenced off during site construction. Construction equipment shall be prohibited from entering the area to avoid soil compaction.

STEP THREE: DETERMINE VOLUME PROVIDED	
BMP (see specific detail drawings for volume calculations)	Volume (cu. ft.)
1. Infiltration Basin	
2. Infiltration Bed	
3. Infiltration Trench	
4. Rain Garden	
5. Vegetated Swale w/ Check Dam	
6. Cisterns	
7. Pervious Paver Blocks (provide square feet of area to be covered)	
8. Other	
Infiltration VOLUME PROVIDED - TOTAL*	

*must be greater than the Infiltration VOLUME REQUIRED calculated in Step One

BMP #1 –INFILTRATION BASIN

An Infiltration Basin provides an aboveground area for water to be stored and infiltrate into the ground. Roof drains and overland stormwater runoff are directed into the aboveground basin area. A spillway is provided to release the larger storm volumes. The spillway should be located such that any down slope problems are avoided when water is flowing over it. The spillway should be lined with a permanent erosion mat to prevent deterioration. The spillway should be located as far away as possible from any inflow pipes to promote infiltration and settling of stormwater runoff contaminants. The basin needs to be planted with vegetation that is tolerant of the wet conditions that will occur. The depth of the basin may be increased with the approval of the Township Engineer.

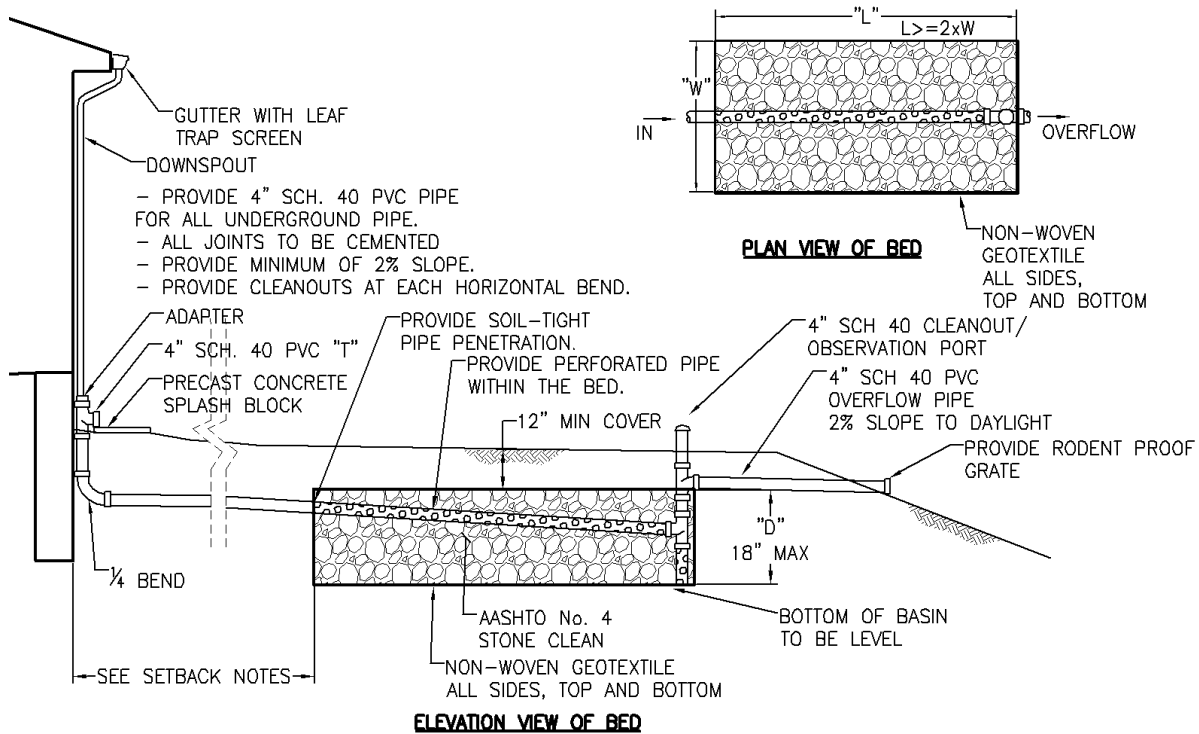


Determination of Water Quality Volume provided:

1	Area – L (length) x W (width) for rectangular basins estimate for irregular shapes	sq. ft.
2	Depth of Basin = D	ft.
3	Volume = Area x D (Line 1 x Line 2) (assuming straight sides)	cu. ft.
4	Side Slope Factor "Z" – Use 3 for 3:1 slope, 4 for 4:1 slope, etc	
5	Approx. Additional Volume = (L+W) x Z x D x D	cu. ft.
6	TOTAL VOLUME PROVIDED (Line 3 + Line 5) (Use this number in Step Three)	cu. ft.

BMP #2 –INFILTRATION BED

An infiltration bed can be used where surface stormwater runoff does not need to be captured. Roof drains from the proposed structure are piped into an underground area to infiltrate into the ground. An overflow pipe is provided to release the larger storm volumes. A cleanout is provided to facilitate maintenance and provide an inspection port. The pipe within the bed is perforated and should be run through the basin to the fullest extent to promote infiltration and distribution of the stormwater. Additional pipe can be utilized within the bed to increase the available storage volume. The soil over the bed shall be planted with vegetation that will not interfere with the operation of the bed. The depth of the bed may be increased with the approval of the Township Engineer.



Note: AASHTO No. 4 is approximately 1-2 inch stone

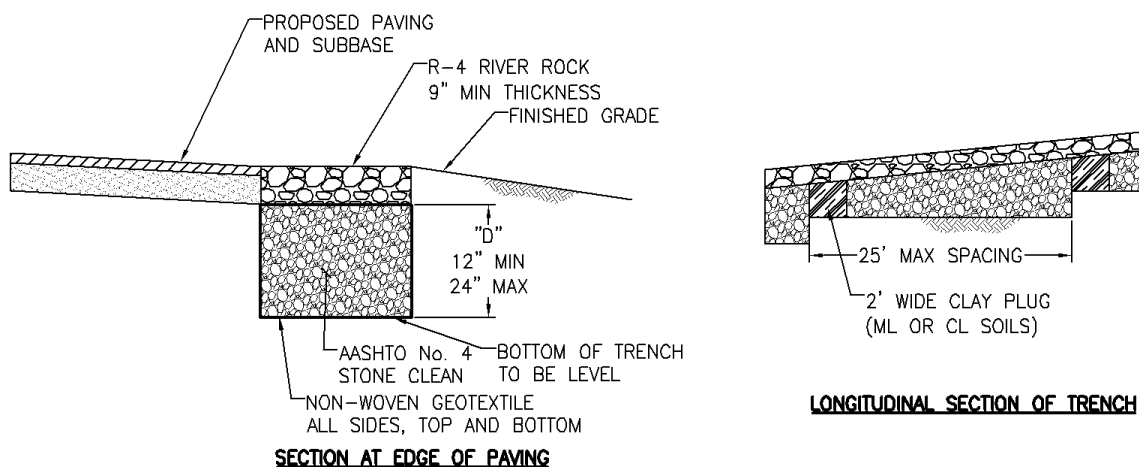
Determination of Water Quality Volume provided:

1	Area – L (length) x W (width)	sq. ft.
2	Depth of Bed = D	ft.
3	Volume = Area x D (Line 1 x Line 2) (stone not considered)	cu. ft.
4	factor to determine void volume due to stone = 0.4 x Line 3 = TOTAL VOLUME PROVIDED (Use this number in Step Three)	cu. ft.

If additional perforated pipe is used in the bed, volume may be adjusted accordingly.

BMP #3 –INFILTRATION TRENCH

Infiltration trenches are utilized along the perimeter of impervious surfaces to collect, store and infiltrate stormwater runoff. River rock or equivalent will be placed on the bed to allow the stormwater runoff to enter the trench; alternately the bed may utilize a perforated pipe with inlets to get the stormwater into the trench. When on a slope, the trench is constructed as a terraced system with clay dikes to promote infiltration. The depth of the trench may be increased with the approval of the Township Engineer. Pipe can be utilized within the trench to increase the available storage volume. When the trench is installed along a paved area that will need to be compacted during construction, extra attention needs to be paid to avoid compaction in the area of the trench and to loosen the material under the trench prior to installation.



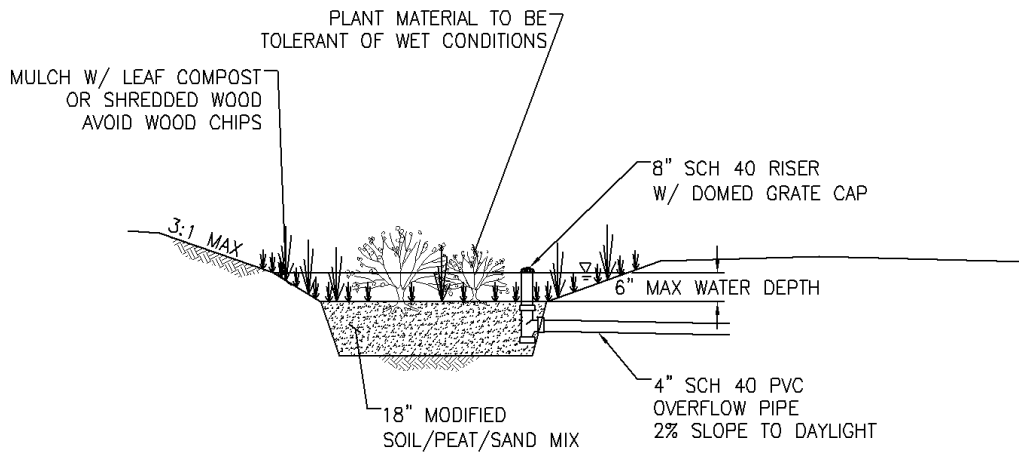
Determination of Water Quality Volume provided:

1	Area = L (length) x W (width)	sq. ft.
2	Depth of Trench = D	ft.
3	Volume = Area x D (Line 1 x Line 2) (stone not considered)	cu. ft.
4	factor to determine void volume due to stone = 0.4 x Line 3 = TOTAL VOLUME PROVIDED (Use this number in Step Three)	cu. ft.

If perforated pipe is used in the bed, volume may be adjusted accordingly.

BMP #4 –RAIN GARDEN

Rain gardens are similar to the infiltration basin, but provide less storage volume and rely more on the plantings to provide water quality and to remove the water through evapo-transpiration. Plant material utilized in the rain garden should be selected by a landscaping professional and be suitable for the proposed conditions. The bottom of the garden is a modified soil intended to hold water and allow it to infiltrate. An overflow pipe is provided to take larger stormwater runoff away. The planted bed needs regular maintenance and should be mulched on an annual basis. The entire bed should be dug up and rejuvenated every three years or as necessary to maintain function. The owner of the facility should be aware of the long term maintenance needs of the plant materials utilized.

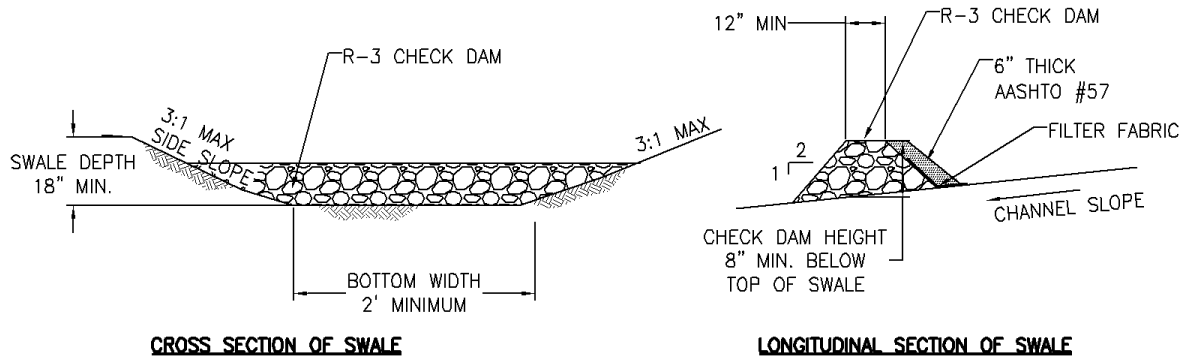


Determination of Water Quality Volume provided:

1	Area – L (length) x W (width) for rectangular areas estimate for irregular shapes	sq. ft.
2	Depth of Water on Surface = 6" = 0.5'	0.5 ft.
3	Approx. Above Ground Volume = Area x D (Line 1 x Line 2)	cu. ft.
4	Depth of Modified Soil Mix = 18" = 1.5'	1.5 ft.
5	factor to determine void volume due to modified soil mix = Approx Volume in Soil = Area x D x 0.4 (Line 1 x Line 4 x 0.4)	cu. ft.
6	TOTAL VOLUME PROVIDED (Line 3 + Line 5) (Use this number in Step Three)	cu. ft.

BMP #5 –VEGETATED SWALE WITH CHECK DAM

A vegetated swale with a check dam provides both a way to convey water around the site and provide an infiltration component. Swales should be installed with longitudinal slopes of 1-6%. Check dams are provided for swales over 3% in slope. The swales should be planted with grasses that are sod forming and can withstand frequent inundation or may be planted with other dense vegetation. For maximum benefit the grasses in the swale should be mowed infrequently. The swale and check dams should be inspected after every storm event to repair any erosion areas that may form. The dimensions shown for the channel and check dam will satisfy most applications. Larger swales may be required depending on actual site conditions.



Note: R-3 is approximately 3 inch stone & AASHTO No. 57 is approximately 1/2 inch stone

Determination of Water Quality Volume provided:

1	Check Dam Height	ft.
2	Channel Slope = Vertical Rise / 100 ft length x 100%	%
3	Impoundment Length = (Line 1 / Line 2) x 100	ft.
4	Side Slope (Horizontal Length in Ft./ 1 ft Vertical Rise)	
5	Bottom Width of Channel	ft.
6	Top Width of Check Dam = Line 5 + 2 x Line 4 x Line 1	ft.
7	TOTAL VOLUME PROVIDED = 0.5 x Line 3 x Line 1 x (Line 5 + Line 6) / 2 (Use this number in Step Three)	cu. ft.

SWM BMP #6 –CISTERN/RAIN BARREL

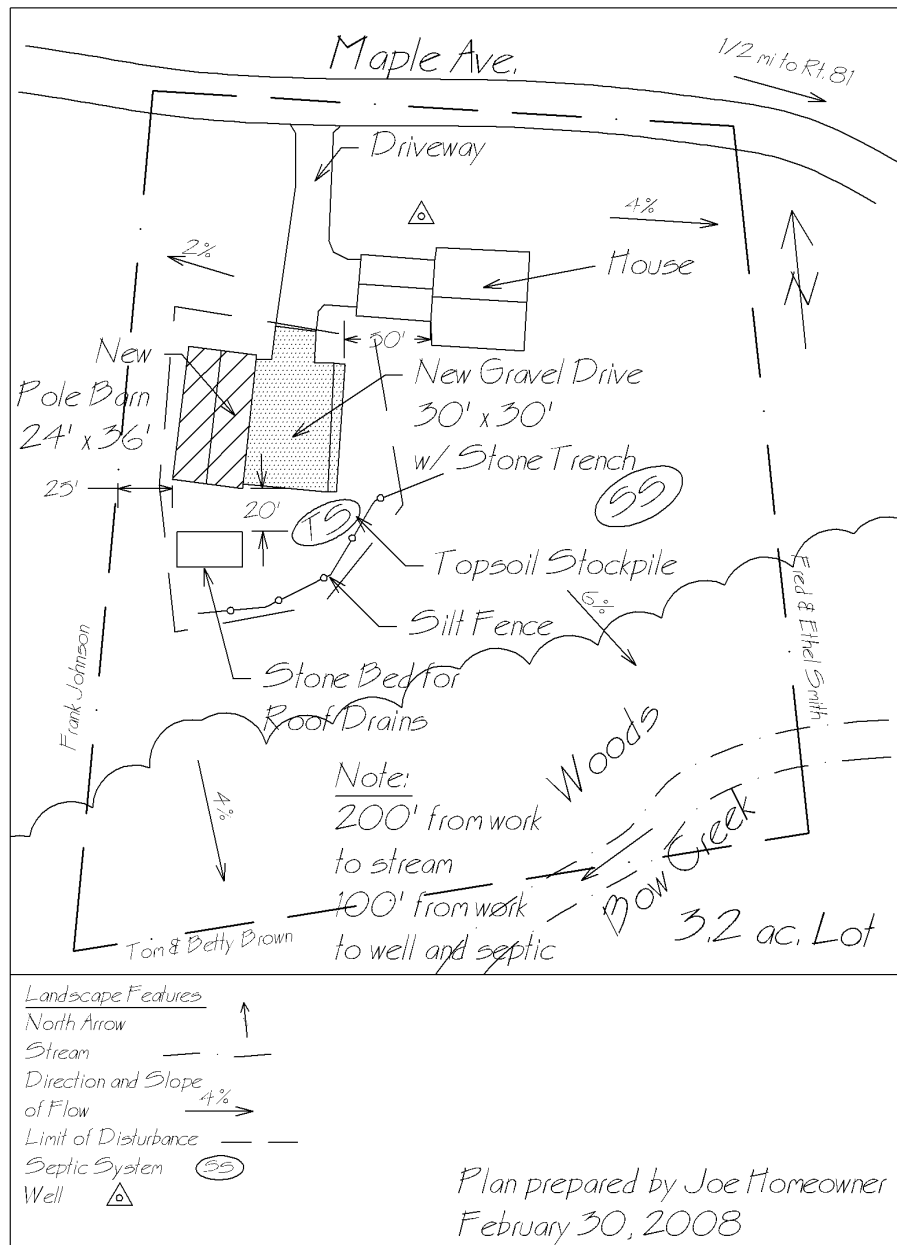
A cistern provides an artificial reservoir, such as a tank, for storing water. Cisterns date back to early civilizations as a way to collect and manage stormwater. Historically the water was collected to serve as a source of drinking water, but for these purposes, that is, as a SWM BMP, the cistern is not intended as a source of drinking water but for utilization for watering plants/irrigation systems. The sizing of the facility is primarily based on the intended use of the water. In order for the facility to be effective during storm events it must be emptied on a regular basis between storms. No details are provided here since each use would be unique. The following design criteria should be considered:

- A. Determine the amount needed. Consider the area to be irrigated and the amount to be applied and the frequency. This is the minimum volume to be stored. Consider a factor of safety to allow for drought conditions.
- B. Conversely, methods should be provided to draw down the cistern from time to time especially during non-growing seasons to insure that there is adequate volume in the cistern for storm events.
- C. Stormwater from roofs is preferred due to their low amounts of pollutants and sediments.
- D. Pumps and piping utilized in the system should be clearly labeled that this is not potable water and cross-contamination of drinking water supplies must be avoided. All systems should be watertight.
- E. An overflow system should be provided.
- F. Facilities need to be kept from freezing.

BMP #7 –PERVIOUS PAVER BLOCK

Pervious paver blocks consist of interlocking units (often concrete) that provide some portion of the surface that may be filled with a pervious material such as gravel or topsoil. These are often used in patio area or small parking areas. Pervious paver blocks can be utilized as part of site landscaping plan to minimize the impervious coverage. Brand names of such products include, but are not limited to: Turfstone, UNI Eco-stone, Checkerblock, EcoPaver, Turf Pavers, or Monoslab. If the products are installed per manufacturer's specification as part of a permeable paving system with minimal compaction, the area can be considered as a non-impervious area in calculating the Water Quality Volume requirements as part of Step One of the BMP Worksheets. The Township Engineer shall review all materials proposed to determine if they are suitable for this application.

Example of Site Sketch Plan



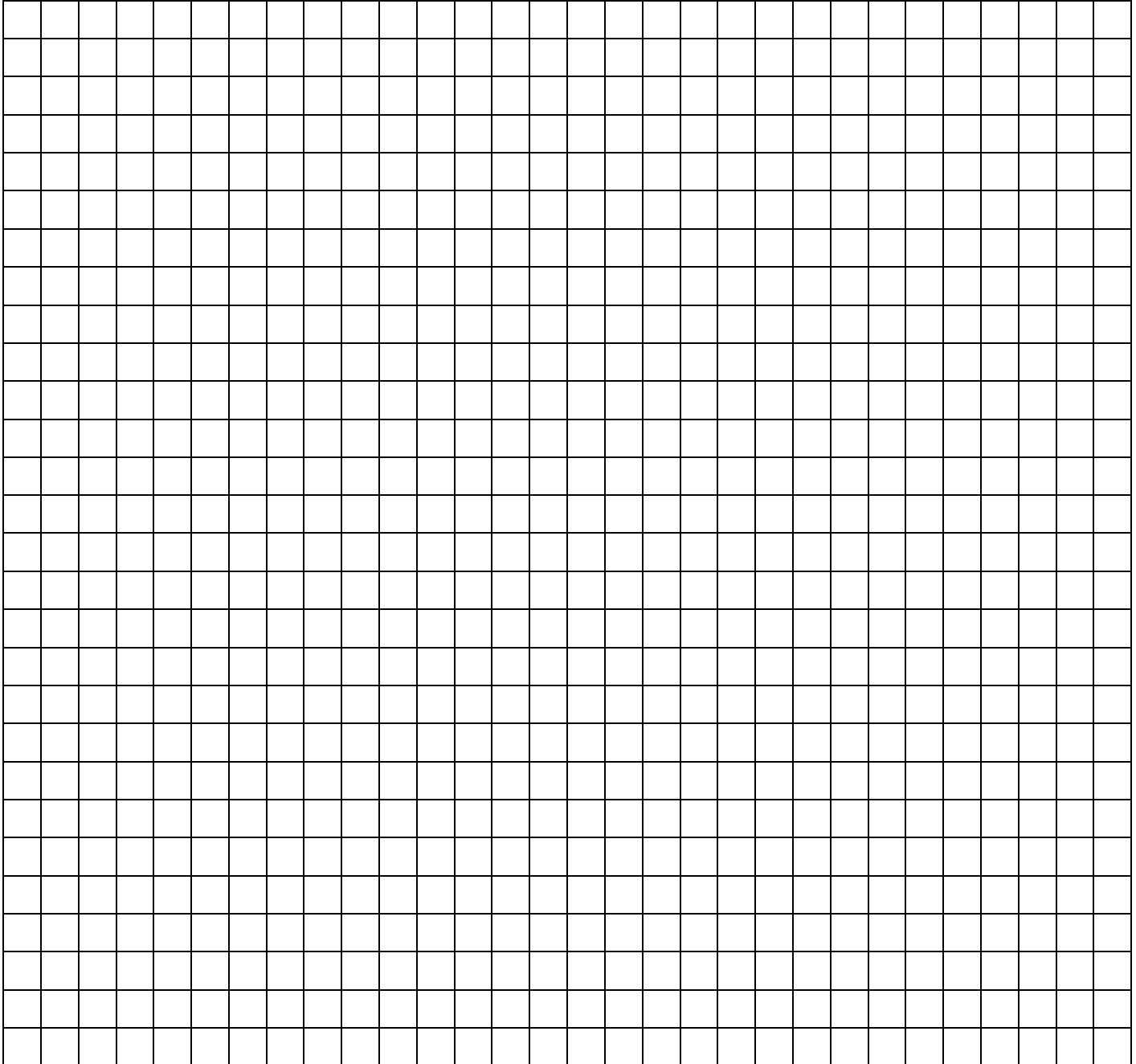
Plan shall contain the following items:

- Lot configuration and total acreage.
- Existing features: buildings, driveways, parking areas, woodland, streams, etc.
- Proposed impervious surfaces: driveways, parking areas including dimensions.
- Names of owners immediately adjacent to the project site location.
- Locations of existing streets or easements, railroads, drainage facilities.
- Proposed erosion and sedimentation control facilities.
- Location of watercourses, wetlands, and riparian stream buffer located within the property or one hundred (100) feet from the project site location.
- Distances between the proposed activity and existing features, property lines, on-lot sewage facilities, wells and watercourses.

SITE SKETCH PLAN

NAME: _____

LOCATION: _____



Is your drawing to scale Y / N? If yes, what is the scale? _____

**Any questions, please contact:
LTL Consultants, Ltd. at 610-987-9290**

APPENDIX A.3

Minor Stormwater Management Plan Best Management Practices

Operation, Maintenance and Inspection Combined Plan and Agreement

It is the Landowner's responsibility to properly maintain BMPs. It is also the Landowner's responsibility to inform any future buyers of the function, operation, and maintenance needed for any BMPs on the property prior to the purchase of the property.

The following Operation, Maintenance and Inspection Combined Plan and Agreement (Agreement) outlines the inspection and maintenance required for each type of BMP, the responsibilities of the Landowner, and the rights of the Municipality in regards to operation, inspection and enforcement of the maintenance requirements.

The Agreement must be signed, notarized and submitted to the Municipality. Following approval and signature by the Municipality, the Landowner must have the Agreement recorded at the Chester County Office of the Recorder of Deeds, so that the Agreement will be applicable to future landowners.

ORDINANCE APPENDIX A.3

SIMPLIFIED APPROACH – MINOR PLAN STORMWATER BEST MANAGEMENT PRACTICES AND CONVEYANCES OPERATION AND MAINTENANCE AGREEMENT

SAMPLE AGREEMENT

NOTES TO EDITOR:

- 1) This was written to serve as a sample agreement between the Municipality and the landowner who will be responsible for the inspection, operation and maintenance of stormwater BMPs and man-made Conveyances.*
- 2) For all other situations, the language in this sample agreement will have to be adjusted.*
- 3) User must complete the information needed on Page 1, and Sections 2, 5, and 8.*

REVISED
Chester County Water Resources Authority
June 2, 2022

<p>Prepared By: <i>(Insert Preparer's Name, Add, PH)</i></p> <p>Return To: <i>East Nantmeal Township 3383 Conestoga Road Glenmoore, PA 19343 610-458-5780</i></p> <p>UPI#: <i>(Insert UPI(s) of properties with BMPs and/or Conveyances)</i></p> <p>Property Street Address: <i>(Insert the street address of the property)</i></p>	<p>LEAVE BLANK For Recorder's Use Only</p>
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**STORMWATER BEST MANAGEMENT PRACTICES (BMPs) AND
CONVEYANCES
OPERATION AND MAINTENANCE AGREEMENT**

THIS AGREEMENT, made and entered into this _____ day of _____, 20____, by and between _____, (hereinafter the "Landowner"), and _____, Chester County, Pennsylvania, (hereinafter "Municipality");

WITNESSETH

WHEREAS, the Landowner is the owner of certain real property by virtue of a deed of Conveyance recorded in the land records of Chester County, Pennsylvania, at Deed Book _____ and Page _____, (hereinafter "Property"); and

WHEREAS, the Landowner is proceeding to build and develop the Property; and

WHEREAS, the Stormwater Best Management Practices (hereinafter BMP(s)) and Conveyances Operations and Maintenance Plan Simplified Approach Stormwater Management Site Plan _____ (title of approved plans) approved by the Municipality _____ (date) (hereinafter referred to as the "Plan") for the Property, which is attached hereto as Appendix A and made part hereof, provides for management of stormwater within the confines of the Property through the use of BMP(s) and Conveyances; and

WHEREAS, the Municipality 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 Municipality and the protection and maintenance of water quality require that stormwater BMP(s) and Conveyances be constructed and maintained on the Property; and

WHEREAS, for the purposes of this agreement, the following definitions shall apply:

BMP – “Best Management Practice” – Activities, facilities, designs, measures, or procedures as specifically identified in the Plan, used to manage stormwater impacts from Regulated Activities to provide water quality treatment, infiltration, volume reduction, and/or peak rate control, to promote groundwater recharge, and to otherwise meet the purposes of the Municipality’s Stormwater Management Ordinance. Stormwater BMPs are commonly grouped into one (1) of two (2) broad categories or measures: “structural” or “nonstructural.” Nonstructural BMPs or measures refer to low impact development and conservation design practices used to minimize the contact of pollutants with stormwater runoff. These practices aim to limit the total volume of stormwater runoff and manage stormwater at its source by techniques such as protecting natural systems and incorporating existing landscape features. Nonstructural BMPs include, but are not limited to, the protection of sensitive and special value features such as wetlands and riparian areas, the preservation of open space while clustering and concentrating development, the reduction of impervious cover, and the disconnection of downspouts from storm sewers. Structural BMPs are those that consist of a constructed system that is designed and engineered to capture and treat stormwater runoff. Structural BMPs are those that consist of a physical system that is designed and engineered to capture and treat stormwater runoff. Structural BMPs include, but are not limited to, a wide variety of practices and devices from large-scale retention ponds and constructed wetlands to small-scale underground treatment systems, infiltration facilities, filter strips, bioretention, wet ponds, permeable paving, grassed swales, riparian buffers, sand filters, detention basins, and other manufactured devices designed to mitigate stormwater impacts. The BMPs identified in the Plan are permanent appurtenances to the Property; and

Conveyance – As specifically identified in the Plan, a manmade, existing or proposed facility, feature or channel used for the transportation or transmission of stormwater from one place to another, including pipes, drainage ditches, channels and swales (vegetated and other), gutters, stream channels, and like facilities or features. The Conveyances identified in the Plan are permanent appurtenances to the Property; and

WHEREAS, the Municipality requires, through the implementation of the Plan, that stormwater management BMPs and conveyances, as required by the Plan and the Municipality’s Stormwater Management Ordinance, be constructed and adequately inspected, operated and maintained by the Landowner or their designee.

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 foregoing recitals to this Agreement are incorporated as terms of this Agreement as if fully set forth in the body of this Agreement.
2. The Landowner shall construct the BMP(s) and Conveyance(s) in accordance with the Simplified Approach Stormwater Management Site Plan as approved by the Municipality in the Plan.

3. The Landowner shall inspect, operate and maintain the BMP(s) and Conveyance(s) as shown on the Plan in good working order acceptable to the Municipality and in accordance with the specific inspection and maintenance requirements in the approved Plan and the current version of the Pennsylvania Stormwater BMP Manual, as amended.

4. The Landowner hereby grants permission to the Municipality, its authorized agents and employees, to enter upon the Property from a public right-of-way or roadway, at reasonable times and upon presentation of proper identification, to inspect the BMP(s) and Conveyance(s) whenever it deems necessary for compliance with this Agreement, the Plan and the Municipality's Stormwater Management Ordinance. Whenever possible, the Municipality shall notify the Landowner prior to entering the Property.

5. The Landowner shall inspect the BMP(s) and Conveyance(s) to determine if they continue to function as intended.

6. The BMP(s) and Conveyance(s) shall be inspected according to the following frequencies, at a minimum:

- a. Annually for the first 5 years.
- b. Once every 3 years thereafter.
- c. During or immediately after the cessation of a 10-year or greater storm, as determined by the Municipal Engineer. Inspection reports for inspections during or after the cessation of a 10-year or greater storm event are only required to be submitted to the Municipality if requested by the Municipality or Municipal Engineer.

Written inspection reports shall be created to document each inspection. The inspection report shall contain the date and time of the inspection, the individual(s) who completed the inspection, the location of the BMP, facility or structure inspected, observations on performance, and recommendations for improving performance, if applicable. Inspection reports shall be submitted to the Municipality within 30 days following completion of the inspection.

Landowners must notify the Municipality of BMP(s) and Conveyance(s) that are no longer functioning as designed and must coordinate with the Municipality to determine a schedule to repair or retrofit these systems to restore designed functionality.

7. The Landowner acknowledges that, per the Municipality's Stormwater Ordinance, it is unlawful, without written approval of the Municipality, to:

- a. Modify, remove, fill, landscape, alter or impair the effectiveness of any BMP or Conveyance that is constructed as part of the approved Plan;
- b. Place any structure, fill, landscaping, additional vegetation, yard waste, brush cuttings, or other waste or debris into a BMP or Conveyance that would limit or alter the functioning of the BMP or Conveyance;
- c. Allow the BMP or Conveyance to exist in a condition which does not conform to the approved Plan or this Agreement; and
- d. Dispose of, discharge, place or otherwise allow pollutants including, but not limited to, deicers, pool additives, household chemicals, and automotive fluids to directly or indirectly enter any BMP or Conveyance.

8. In the event that the Landowner fails to operate and maintain the BMP(s) and Conveyance(s) as shown on the Plan in good working order acceptable to the Municipality, the Landowner shall be in violation of this Agreement, and the Landowner agrees that the Municipality or its representatives may, in addition to and not in derogation or diminution of any remedies available to it under the Stormwater Ordinance or other statutes, codes, rules or regulations, or this Agreement, enter upon the Property and take whatever action is deemed necessary to maintain said BMP(s) and Conveyance(s). It is expressly understood and agreed that the Municipality is under no obligation to maintain or repair said facilities, and in no event shall this Agreement be construed to impose any such obligation on the Municipality.

9. In the event that the Municipality, pursuant to this Agreement, performs work of any nature or expends any funds in performance of said work for inspection, labor, use of equipment, supplies, materials, and the like, the Landowner shall reimburse the Municipality for all expenses (direct and indirect) incurred within 30 days of delivery of an invoice from the Municipality. Failure of the Landowner to make prompt payment to the Municipality may result in enforcement proceedings, which may include the filing of a lien against the Property, which filing is expressly authorized by the Landowner.

10. The intent and purpose of this Agreement is to ensure the proper maintenance of the on-site BMP(s) and Conveyance(s) by the Landowner; provided, however, that this Agreement shall not be deemed to create or affect any additional liability on any party for damage alleged to result from or be caused by stormwater runoff.

11. The Landowner, for itself and its executors, administrators, assigns, heirs, and other successors in interest, hereby releases and shall release the Municipality's employees, its agents and designated representatives from all damages, accidents, casualties, occurrences, or claims which might arise or be asserted against said employees, agents or representatives arising out of the construction, presence, existence, or maintenance of the BMP(s) and Conveyance(s) either by the Landowner or Municipality. In the event that a claim is asserted or threatened against the Municipality, its employees, agents or designated representatives, the Municipality shall notify the Landowner, and the Landowner shall defend, at his own expense, any claim, suit, action or proceeding, or any threatened claim, suit, action or proceeding against the Municipality, or, at the request of the Municipality, pay the cost, including attorneys' fees, of defense of the same undertaken on behalf of the Municipality. If any judgment or claims against the Municipality's employees, agents or designated representatives shall be allowed, the Landowner shall pay all damages, judgments or claims and any costs and expenses incurred by the Municipality, including attorneys' fees, regarding said damages, judgments or claims.

12. The Municipality may enforce this Agreement in accordance with its Stormwater Ordinance, at law or in equity, against the Landowner for breach of this Agreement. Remedies may include fines, penalties, damages or such equitable relief as the parties may agree upon or as may be determined by a Court of competent jurisdiction. Recovery by the Municipality shall include its reasonable attorneys' fees and costs incurred in seeking relief under this Agreement.

13. Failure or delay in enforcing any provision of this Agreement shall not constitute a waiver by the Municipality of its rights of enforcement hereunder.

14. The Landowner shall inform future buyers of the Property about the function of, operation, inspection and maintenance requirements of the BMP(s) prior to the purchase of the

Property by said future buyer, and upon purchase of the Property the future buyer assumes all responsibilities as Landowner and must comply with all components of this Agreement.

15. This Agreement shall inure to the benefit of and be binding upon the Municipality and the Landowner, as well as their heirs, administrators, executors, assigns and successors in interest.

This Agreement shall be recorded at the Office of the Recorder of Deeds of Chester County, Pennsylvania, and shall constitute a covenant running with the Property, in perpetuity.

WITNESS the following signatures and seals:

ATTEST:

(SEAL)

For the Municipality:
EAST NANTMEAL TOWNSHIP

Signature: _____

Print: _____

Title: _____

(SEAL)

For the Landowner:

Signature: _____

Print: _____

Signature: _____

Print: _____

ATTEST:

_____ (EAST NANTMEAL TOWNSHIP)

By Individual:

State of: _____

County of: _____

On this _____ day of _____, 20___. Before me, the undersigned officer, personally appeared _____, known to me (or satisfactorily proven) to be person whose name(s) is/are subscribed to the within instrument and acknowledged that _____ executed the same for the purpose therein contains.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

Notary Public

My commission expires:

By the Company:

State of: _____

County of: _____

On this _____ day of _____, 20__, before me, the undersigned officer, personally appeared _____, who acknowledged himself/herself to be _____ of _____, and that he/she being authorized to do so, executed the forgoing instrument for the purpose therein contained by signing the name of the Company by herself/himself as _____.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

Notary Public

My commission expires:

Exhibits A and B MUST be attached

Exhibit A:
Approved Minor Stormwater Management BMP Worksheets and Site Sketch Plan

(include only those Worksheets and the Site Sketch Plan that were approved)

Exhibit B:
BMP Operation and Maintenance Requirements

(include only those sheets that apply to the Property, that is, those that correspond to the approved Worksheets and Plan)

BMP #1 - Infiltration Basin

Operation and Maintenance Requirements

- a. Infiltration basins are to be inspected by the landowner after significant rainfalls but not less than twice a year.
- b. Inspect for debris, trash, sediment, and any other waste material that needs to be removed and dispose of at suitable disposal or recycling sites and in compliance with local, state, and federal waste regulations.
- c. Inspect for damage to the outlet structure if included in the design and repair accordingly
- d. The vegetation should be maintained in good condition and any bare spots re-vegetated as soon as possible.
- e. Mow only as appropriate for vegetative cover species planted.
- f. Vehicles should not be parked or driven on an infiltration basin and care should be taken to avoid excessive compaction by mowers.
- g. Inspect for erosion and slope stability. Remove accumulated sediment and restore original cross section and infiltration rate.

BMP #2 - Infiltration Bed

Operation and Maintenance Requirements

- a. Infiltration beds are to be inspected by the landowner at least four (4) times a year and after significant rainfalls (1 inch or more recommended).
- b. Debris, trash, sediment, and any other waste material need to be removed and disposed of at suitable disposal or recycling sites and in compliance with local, state, and federal waste regulations.
- c. Evaluate the drain-down time of the infiltration bed to ensure the time is not excessive (72 hours recommended). If drain-down times are exceeding the recommended, drain the infiltration bed via pumping. If the infiltration bed contains chambers and/or perforated piping, clean out these facilities. If slow drainage persists, the system may need replacing.
- d. The filter screen system for downspouts and/or roof gutters that intercepts roof runoff and conveys it to the infiltration bed must be cleaned and replaced as necessary. Check the roof drain system for proper connections.
- e. If an intermediate sump box exists in conjunction with a infiltration bed, it must be cleaned out at least once per year.
- f. Vehicular access on infiltration beds should be prohibited, and care should be taken to avoid excessive compaction by mowers.

BMP #3 - Infiltration Trenches

Operation and Maintenance Requirements

- a. At least twice a year and after significant rainfall events the landowner is to inspect the infiltration trench and remove any accumulated debris, sediment and invasive vegetation.
- b. Vegetation either over the surface of an infiltration trench or along the edge of an “open” trench is to be maintained in good condition, and any bare spots are to be re-vegetated as soon as possible.
- c. Vehicles are not to be parked or driven on an infiltration trench, and care is to be taken to avoid excessive compaction by mowers.
- d. Any debris, such as leaves blocking flow from entering an infiltration trench, is to be routinely removed.

BMP #4 - Rain Garden

Operation and Maintenance Requirements

- a. Pruning and weeding are required as needed including removal of invasive species, especially while vegetation is being established for a rain garden.
- b. Mulch cover should be maintained in a rain garden, re-spread and replenished as needed to prevent erosion, reduce weed growth and assist with plant survival, without restricting the infiltration of stormwater.
- c. At least twice a year the landowner is to inspect the rain garden for sediment buildup, ground cover and vegetative conditions and make any repairs as needed.
- d. Water as needed especially during periods of extended dry weather and drought.
- e. Trees and shrubs in a rain garden are to be inspected at least twice per year by the landowner to evaluate their health. If they are in poor health, they may need to be replaced.

BMP #5 Vegetated Swale w/ Check Dam

Operation and Maintenance Requirements

- a. After significant rain events, inspect swale bottom and correct erosion problems, damage to vegetation and accumulation of sediment (address when >3 inches at any spot or covering vegetation). Restore longitudinal slope.
- b. After significant rain events, inspect swale side slopes for erosion and formation of rills or gullies; correct as needed.
- c. Mow and trim vegetation as appropriate for the species.
- d. Mow only during dry conditions to avoid rutting.
- e. Inspect for and remove debris and trash.
- f. Inspect swale inlet is applicable (curb cuts, pipes, etc.) and outlet for signs of erosion or blockage; correct as needed.
- g. Re-vegetate bare areas.
- h. When included in the design, inspect and correct check dams when signs of altered water flow are identified (channelization, obstructions, erosion etc.).

BMP #6 Cisterns/Rain Barrels

Operation and Maintenance Requirements

- a. Cisterns/Rain Barrels are to be cleared of debris routinely at least every three (3) months and after significant storms to allow stormwater from gutters to enter them.
- b. Gutters that directly convey rain water to cisterns/rain barrels are to be routinely cleared of trash and debris at least every three (3) months and after significant rainfall events.
- c. Cisterns/Rain Barrels should be routinely emptied to allow for storage of additional rain water.
- d. Overflow outlets from cisterns/rain barrels must be kept free and clear of debris.
- e. Cisterns/Rain Barrels that are damaged are to be fixed or replaced within two (2) weeks of being damaged.

BMP #7 Pervious Paver Blocks

Operation and Maintenance Requirements

For proposals that specify gravel between the paver blocks:

- a. Periodic maintenance is required to clean silt and debris from the surface.
- b. Planted areas adjacent to the paver blocks should be well maintained to prevent soil washing onto the surface and clogging the gravel areas.
- c. Refill displaced gravel whenever necessary.
- d. Salts and sands should be used sparingly if at all for deicing in the winter.

For proposals that specify grass between the paver blocks:

- a. Mow as needed, but care should be taken to avoid excessive compaction.
- b. Water during extended periods of dry weather.
- c. Reseed bare areas.
- d. Deicing salts should not be used.