

407 Commercial, Manufacturing and Other Non-Residential Uses

The following performance standards shall apply to all commercial, manufacturing and other non-residential uses. (Note - This section shall not apply to agricultural uses):

407.1 Reserved

407.2 Operations and Storage

All facilities and operations of the principal use including the storage of raw material, finished products, fuel, machinery and equipment and any other materials or supplies shall be enclosed and carried out within a building; or shall, as required by the Township, be provided with larger setbacks and/or buffers to afford protection to adjoining uses and any public road rights-of-way. Storage of materials, supplies or products in motor vehicles, truck trailers or other containers normally used to transport materials shall not be permitted. However, not more than two (2) licensed trailers, maintained in good condition, shall be permitted for such storage over the course of a construction project, not to exceed two (2) years. The placement of said trailers shall also require a permit from the Township, shall meet the setback requirements of this Ordinance and shall not be used for the storage of any flammable or hazardous material.

407.3 Fire and Explosion Hazards

All activities involving any manufacturing, production, storage transfer or disposal of, inflammable and explosive materials shall be provided with adequate safety devices against the hazard of fire and explosion and adequate fire-fighting and fire suppression equipment and devices standard in the industry shall be required. Burning of waste materials in open fires is prohibited. The relevant provisions of Federal, State and local laws and regulations shall also apply. Details of the potential hazards and details of planned safety and accident response actions shall be provided by the developer for review by the local fire company(s). All buildings shall comply with the most current BOCA or NFPA standards as required by the Township. Additional buffer areas or fencing may be required by the Township if the nature of the proposed use as determined by the Township so requires.

407.4 Radioactivity or Electric Disturbance

No activities shall be permitted which exceed federal standards for radioactivity emissions, or electrical disturbance adversely affecting the operation of any equipment other than that of the creator of such disturbance. All applicable Federal regulations shall apply.

407.5 Noise

The maximum sound pressure level radiated by any use or facility at any lot line shall not exceed five (5) dB(A) above the ambient noise level or sixty (60) dB(A), whichever is less. The ambient noise level shall, in the absence of a professional study documenting generally prevailing noise in the immediate vicinity of the proposed activity, be assumed to be 45 dB(A). The sound pressure level shall be measured with a Sound Level Meter conforming to standards prescribed by the American Standards Association. The Township may require additional setbacks, buffers and fencing, or limit the hours of operation to mitigate any potential noise impacts of any proposed use.

A. Maximum Levels - The maximum permissible sound pressure levels at the lot line for noise radiated shall apply to noise made continuously from any facility or activity between the hours of 9:00 p.m. and 7:00 a.m.

B. Corrections - If the noise is not smooth and continuous, and is not radiated between the hours of 9:00 p.m. and 7:00 a.m., the decibel level may be increased by five (5) decibels.

C. Exemptions - The maximum permissible sound levels of this Section 605.5 shall not apply to any of the following noise sources:

1. Sound needed to alert people about an emergency or building, equipment, or facility security alarms.
2. Repair or construction work to provide electricity, water or other public utilities between the hours of 7:00 a.m. and 9:00 p.m., except for emergency repairs which shall not be restricted by time.
3. Construction operations (including occasional blasting in construction) and repairs of public facilities between the hours of 7:00 a.m. and 9:00 p.m., except for emergency repairs which shall not be restricted by time.
4. Agricultural activities.
5. Motor vehicles when used on public streets in accord with state regulations.
6. Railroads and aircraft.
7. Public celebrations, specifically authorized by the Town, the County, state or federal government body or agency.
8. Unamplified human voices.
9. Routine ringing of bells or chimes by a place of worship or municipal clock.

407.6 Vibration

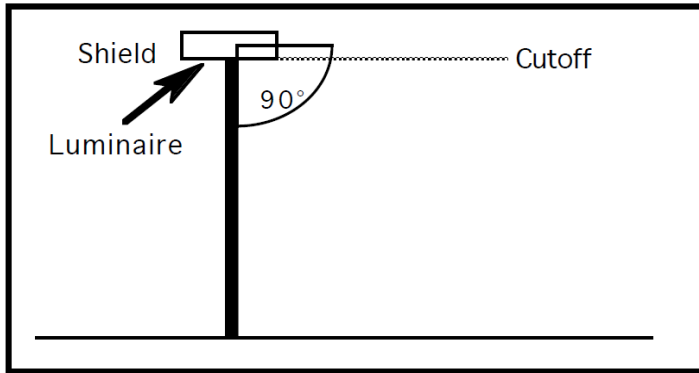
No vibration shall be permitted which is detectable without instruments at the property line.

407.7 Lighting and Glare

No light source shall be exposed to the eye except those covered by globes or defusers. Other lighting shall be indirect or surrounded by a shade to hide visibility of the light source. Lighting design should be an inherent part of the architectural design. All streets, off-street parking areas and areas of intensive pedestrian use shall be adequately lighted. Appropriate lighting fixtures shall be provided for walkways and to identify steps, ramps, and directional signs. The applicant shall provide the specifications of the proposed lighting and its arrangement on the site; and all required lighting shall be considered improvements for the purpose of regulation by the Township Subdivision and Land Development Ordinance.

All lighting shall be designed so as to avoid unnecessary or unsafe spillover of light and glare onto operators of motor vehicles, pedestrians and land uses in proximity to the light source. Light sources shall comply with the following standards:

Type of Light Source	Maximum Illumination Permitted at Property	Maximum Permitted Line Height of Light
Globe light	0.20 Footcandles	15 Feet
>90% Cutoff	0.75 Footcandles	25 Feet
<90% Cutoff	2.00 Footcandles	30 Feet



No direct or sky-reflected glare, whether from floodlights or from high-temperature processes such as combustion or welding or other sources, so as to be visible at the property line on a regular or continuing basis, shall be permitted.

407.8 Smoke

No emission shall be permitted from any chimney or otherwise, of visible gray smoke of a shade equal to or darker than No. 2 on the Power's Micro-Ringlemann Chart, published by McGraw-Hill Publishing Company, Inc., and copyright 1954.

407.9 Odors

No emission shall be permitted of odorous gases or other odorous matter in such quantities as to be readily detectable without instruments at the property line of the parcel from which the odors are emitted.

407.10 Other Forms of Air Pollution

No emission of fly ash, dust, fumes, vapors, gases and other forms of air pollution shall be permitted which can cause any damage to health, to animals, vegetation, or other forms of property, or which can cause any excessive soiling.

407.11 Surface and Ground Water Protection

All activities involving the possible contamination of surface or ground water shall be provided with adequate safety devices to prevent such contamination. Details of the potential hazards (including the groundwater characteristics of the area in which the use is proposed) and details of planned safety devices and contamination response actions shall be provided by the developer. The Township may require a plan to be submitted for review and approval and may require security for insuring contamination response. Monitoring wells and water quality testing may also

be required by the Township. The developer shall also provide details about the use of ground water and any processes that could result in the depletion of ground water supplies. No use shall be permitted which would result in the depletion of ground water supplies. In cases where the use is of such a nature that large volumes of ground water are required the developer shall provide appropriate hydro-geologic studies which clearly establish that the proposed use will not cause a reduction in the quantity or the quality of ground water supplies available to other properties located within one-thousand (1,000) feet of any portion of the property where the proposed use will be located.

407.12 Reserved

407.13 Stormwater Management and Soil Erosion Control

A stormwater management plan and soil erosion control plan shall be provided to the Township for review and approval. Said plan shall be prepared and implemented pursuant to the standards contained in Sections 605 and 606, respectively, of the Township Subdivision Ordinance; and County Conservation District standards. The protection of the quality of ground water and surface water shall be an integral part of all proposed stormwater management practices; and all stormwater management plans shall include an element specifically addressing water quality. The plan shall provide for the minimization of the discharge of "first flush" sediments off the project site or directly to infiltration structures. Containment of "first flush" sediments shall be accomplished by accepted and proven engineering design and practice, including but not limited to the use of grass buffer/filter strips, grass swales, detention basins, sediment traps, and special inlet devices.

407.14 Waste Materials

No liquid, solid, toxic or hazardous waste shall be stored or disposed in any commercial area, either above or below ground level, except for the temporary storage thereof pending removal from the premises. Such temporary storage and handling of waste shall be in a designated area and shall be conducted in compliance with all applicable state and federal regulations in order to prevent any water, soil or air contamination and shall be screened from view of adjoining properties and any public road right-of-way by fencing or other buffers. The Township may, for these purposes, require an applicant to document how and where such is removed and disposed and to make available on a regular basis reports thereof. In addition, no waste discharge is permitted into any reservoir, sewage or stormwater disposal system, stream, open body of water or onto the ground.

407.15 Sewage Disposal

Sewage disposal shall be provided by a system meeting the requirements of the Pennsylvania Department of Environmental Resources. Discharge to such system shall be limited to human wastes. No discharge of wastes or materials in any way associated with a production process shall be permitted to any sewage system.

407.16 Other Regulations

Documentation shall be provided by the applicant demonstrating that the project complies with all other applicable local, state and federal regulations, and said proposal has obtained all required permits, certifications and authorizations, including but not limited to the PA Department of Transportation, the Pa Department of Environmental Resources, the PA

Department of Labor and Industry, the Federal Emergency Management Agency and the U.S. Environmental Protection Agency.