

ARTICLE VIII

ENVIRONMENTAL PROTECTION

Section 801. ENVIRONMENTAL PROTECTION REQUIRED

801.1 All uses shall be developed in a manner consistent with the preservation of the quality of the existing environment and of any natural amenities present on the site.

801.2 All uses shall provide for the preservation and the minimum destruction of natural drainage areas, minimum grading and destruction of the ground surface, the preservation of substantial stands of trees and forested areas, and the preservation of attractive views and any other natural features existing on the site.

Section 802. PROHIBITED NUISANCES

No land or structures in any Zoning District shall be used or occupied in any manner that creates any nuisance in such manner or in such amount as to adversely affect the reasonable use or value of the surrounding area or adjoining premises or be dangerous to public health or safety.

Section 803. AREAS WITH HIGH WATER TABLE

803.1 Any proposed land use which may directly (by means of effluent discharge into the ground) or indirectly (through the leaching of stored materials) result in the pollution of the groundwater shall be prohibited from developing in any area which has a year-round or seasonal high water table which comes to within any distance of the ground surface which violates Pennsylvania Department of Environmental Protection regulations.

803.2 The determination of such hazards shall be made by the appropriate State agency and/or by a qualified sanitary engineer, geologist, or soil scientist approved by the Board of Supervisors.

803.3 The County Soil Survey developed by the Natural Resource Conservation Service shall be used to establish high water table soils, unless more accurate information is available.

Section 804. AREAS OF STEEP SLOPES

804.1 Specific Intent

Steep slopes pose special problems for normal building construction and site development in terms of runoff control, soil erosion, stream siltation, flooding, sewage disposal system seepage, etc. It is impractical to delineate each separate steep slope area on the official

zoning map, so these controls are intended to augment the provisions of the primary zoning district.

804.2 Definition

Steep slope areas, over 15% in grade, are delineated on the U.S. Soil Conservation Service Soil Maps as slopes having a D, E, or F suffix. For purposes of provision of on-lot sanitary facilities, slopes of 8 to 15 % and greater are considered steep slopes. These slopes have a suffix of C, D, E, or F on the Natural Resource Conservation Service Soil Maps.

804.3 Uses Permitted

- A. Parks, outdoor recreation.
- B. Agriculture, forestry etc.; except intensive agricultural use.
- C. Buildings permitted in the primary district further provided that:
 - 1. Buildings or structures are not located on slopes whose grade exceeds 25% (E or F slopes on soil maps).
 - 2. Buildings or structures, and roads located on a slope of 15 to 25% in grade (D slopes), require a plan showing the topography, building location, driveways, sanitary facilities, foundation, drainage, planting schedule, a grading plan prepared by an architect or landscape architect or engineer, and a statement as to how problems of possible erosion, stream siltation, soil stabilization, and revegetation are to be overcome. The plan shall be reviewed by the Township Zoning Officer and Engineer prior to the issuance of a Zoning Permit.
 - 3. Buildings requiring on-lot sanitary facilities to be located on a slope of 8% or greater require the submittal of a detailed plan prepared by a qualified engineer or sanitarian to indicate the location and design of special sanitary facilities needed to overcome slope problems and a statement that no seepage or other unsanitary conditions will be caused by such design.

804.4 Issuance of a Zoning Permit

A Zoning Permit shall not be issued for a steep slope area development until the Township Engineer has certified that the conditions on the lot are as actually represented on the plan, and that the plan elements, as proposed, will actually resolve the problems arising from the steep slope condition.

804.5 Recording of Permits

The Zoning Officer shall maintain a separate file for all Zoning Permits that were issued on areas subject to these regulations.

Section 805. DEVELOPMENT ALONG WATERBODIES

No structure or offstreet parking area shall be within fifty (50) feet of the banks of any stream, lake or pond, except offstreet parking areas for public recreation uses.

Section 806. FILLING, EXCAVATING, AND GRADING

806.1 All activities which require the moving of earth or the filling or excavating of any area shall require the submittal of a plan to the Township showing site grading and erosion control measures.

806.2 Grading Regulations:

- A. The existing grade shall not be increased so that unstable slopes are created.
- B. The surface area of any yard adjacent to a building or structure shall be graded so that surface water will be drained away from such structure.
- C. The deposit of soils, detritus or other debris (as a result of site preparation, grading, or excavating) shall not be unsightly or detrimental to any property, street, sewer, or natural waterway.

Section 807. OUTDOOR STORAGE CONTROL

807.1 Flammable or explosive liquids, solids, or gases may be stored in bulk if done in accordance with the Storage Tank and Spill Prevention Act (Act 32 of 1989) as may be amended from time to time.

807.2 All outdoor storage facilities for fuel, raw materials, and products stored outdoors (including those permitted in Section 806.1) shall be enclosed by a fence of a type, construction and size as shall be adequate to protect the public's health, safety and welfare.

807.3 No materials or wastes shall be deposited upon a lot in such form or manner that they may be transported off by natural causes or forces.

807.4 No substance which can contaminate groundwater or surface water, render groundwater or surface water undesirable as a source of water supply or recreation, or destroy aquatic life, shall be allowed to enter any groundwater or surface water.

807.5 Applicable Department of Environmental Protection regulations shall apply.

Section 808. NOISE CONTROL

808.1 No person shall operate or cause to be operated on private property any source of continuous sound (any sound which is static, fluctuating or intermittent with a recurrence greater than one time in any 15 second interval) in such a manner as to create a sound level which exceeds the limits set forth for the receiving land use category in the following table when measured at or within the property boundary of the receiving land use:

Receiving Land Use Category	Time	Sound Level Limit
Residential, Public Space, Open Space	1) 7:00 a.m. - 10:00 p.m.	60 dBA
	2) 10:00 p.m. - 7:00 a.m. plus Sundays and legal holidays	50 dBA
Commercial or Business	1) 7:00 a.m. - 10:00 p.m.	65 dBA
	2) 10:00 p.m. - 7:00 a.m.	60 dBA
Industrial	At all times	70 dBA

808.2 For any source of sound which emits a pure tone, the maximum sound level limits set forth in Section 807.1 shall be reduced by 5 dBA.

808.3 The maximum permissible sound level limits set forth in Section 807.1 shall not apply to any of the following noise sources:

- A. The emission of sound for the purposes of alerting persons to the existence of an emergency.
- B. Emergency work to provide electricity, water, or other public utilities when public health or safety is involved.
- C. Domestic power tools, between the hours of 8:00 a.m. and 9:00 p.m. on Mondays through Fridays and between 8:00 a.m. and 5:00 p.m. on Saturdays or Sundays.
- D. Explosives and construction activities.

- E. Agriculture.
- F. Motor vehicle operations, other than parked trucks and other parked vehicles that run continuously for more than fifteen (15) minutes.
- G. Public celebrations specifically authorized by the Township.
- H. Surface carriers engaged in commerce by railroad.
- I. The unamplified human voice.
- J. Discharge of firearms.

808.4 For any source of sound which emits an impulsive sound (a sound of short duration, with an abrupt onset and rapid decay and an occurrence of not more than one time in any 15 second interval) the excursions of sound pressure level shall not exceed 20 dBA over the ambient sound pressure level, regardless of the time of day or night or receiving land use, using the “fast” meter characteristic of a Type II meter, meeting the ANSI specifications S1.4-1971.

Section 809. DUST, DIRT, SMOKE, VAPORS, GASES, AND ODOR CONTROL

No person shall operate or permit the operation of any device or conduct or permit any use to be conducted which does not conform with the standards established under the State Air Pollution Control Act of January 9, 1960, Public Law 2119, as amended, and Title 25, Rules and Regulations, Department of Environmental Protection, Article III Air Resources. Agricultural sources are excluded under ↓123.42(4) [dust] and ↓123.31(c) [odors] of Title 25 Environmental Resources Chapter 123. Standards for Contaminants.

Section 810. LIGHT, GLARE AND HEAT CONTROL

All uses shall minimize the production of light, heat or glare that is perceptible beyond any property line of the lot on which the light, heat or glare is produced. Downward-directed, non-glare illumination devices shall be utilized unless it can be proven that they are not practicable for the purpose.

Section 811. ELECTRIC, DIESEL, GAS OR OTHER POWER

- 811.1 Every use requiring power shall be so operated that any service line, substation, or other facility shall
- A. conform to the highest applicable safety requirements,

- B. be constructed and installed as an integral part of the architectural features of the plant, and
- C. be concealed by evergreen planting from residential properties.

**Section 812. CONTROL OF RADIOACTIVITY, ELECTRICAL EMISSIONS,
AND ELECTRICAL DISTURBANCES**

- 812.1 No person shall operate or permit the operation of any device or conduct or permit any use to be conducted which does not comply with the regulations of the Pennsylvania Department of Environmental Protection's Division of Radiology, the Federal Nuclear Regulatory Commission, and the Federal Interstate Commerce Commission.
- 812.2 No person shall conduct or permit any use to be conducted which causes electrical disturbances (except from domestic household appliances) to adversely affect any equipment at any time other than the equipment creating the disturbance.