

**§ 400-49. Performance standards.**

- A. The intent of this section is to regulate the development and operation of all development in the Township and to protect the environment and the public health, safety and general welfare.
- (1) Public safety. No landowner, tenant or lessee shall use or allow to be used land or structures in a way that results or threatens to result, in the opinion of the Township, in any of the following conditions:
    - (a) A physical hazard to the public, or a physical hazard that would be an attractive nuisance that would be accessible by children.
    - (b) Pollution of groundwater or surface waters, other than as authorized by a state or federal permit.
    - (c) Risks to public health and safety, such as but not limited to explosion, fire or biological hazards or toxic substances.
  - (2) Compliance. Any use permitted by this chapter may be undertaken and maintained if it conforms to all applicable requirements of this chapter, including the standards in this section which are intended to limit nuisance elements.
  - (3) Applicability. The following performance standards shall apply to all proposed new or expanded nonresidential uses, and residential uses explicitly referenced by a specific section. The standards in this section shall not apply to normal agricultural uses unless explicitly referenced by a specific section, but shall apply to concentrated animal feeding operations and any agricultural use which is considered a land development under Chapter 355, Subdivision and Land Development, of the Code of the Township of Coolbaugh.
- B. Buffers and screening. Buffers and screening shall be provided in accord with this chapter and Chapter 355, Subdivision and Land Development.
- (1) Buffer. In C-1, C-2,1, and I-A Districts, adjacent to every lot line abutting a R-1, R-2, R-3 or W-C District, a buffer strip a minimum of 50 feet in width, including a protective planting strip not less than 10 feet in width, is required. In the case of conditional uses or special exceptions, this buffer strip may also be required if the proposed development in a C-1, C-2, 1 or I-A District is adjacent to an existing residential use not located in a residential district or between commercial and residential uses in the C-3 District. The width of the required buffer area is to be measured from the property boundary. In the case of conditional uses or special exceptions, a buffer strip greater than 50 feet may be required.
    - (a) Where required, buffers of specified width shall be provided along the lot lines. The buffer may overlap the required setbacks. In the case of a conflict, the larger setback shall apply.
    - (b) All buffers shall be planted and maintained with a vegetative material, and where required for specific uses, a screen planting shall be planted and maintained to the

full length of side and rear lot lines which do not abut streets.

- (c) All buffers shall be planted with grass or ground cover and, where required, a dense screen planting. Buffers shall be maintained and kept free of all debris and rubbish.
  - (d) No structure, manufacturing or processing activity, or storage of materials, shall be permitted in buffers. However, access roads, service drives and utility easements not more than 35 feet in width are permitted to cross a buffer, provided that the angle of the center line of the road, drive or easement crosses the buffer at an angle not less than 60°.
  - (e) No parking shall be permitted in buffers.
  - (f) Prior to the issuance of a building permit, plans for buffers shall be submitted to the Zoning Officer for review and approval. Said plans shall show the arrangements of all of the buffers and the placement, species and size of all plant materials to be placed in such buffer. Said plan must be reviewed by the Planning Commission and approved by the Zoning Officer before a building permit may be issued.
- (2) Screening. Required screening shall consist of screen plantings and shall be in accord with the following requirements:
- (a) Plant materials used in screen planting shall be at least four feet in height when planted, shall be planted no more than five feet apart and shall be of such species as will produce, within three years, a complete year-round visual screen of a least six feet in height.
  - (b) The screen planting shall be maintained permanently and any plant material which does not live shall be replaced within one year.
  - (c) The screen planting shall be so placed that at maturity it will be not be closer than three feet from any ultimate right-of-way or property line.
  - (d) A clear sight triangle shall be maintained at all street intersections and at all points where vehicular accessways intersect public streets.
  - (e) The screen planting shall be broken only at points of vehicular or pedestrian access.
- C. Landscaping. A landscaping plan for proposed nonresidential, multifamily and mobile home projects shall be submitted by the developer for review and approval by the Township in accord with the standards of Chapter 355, Subdivision and Land Development. This shall apply to all new projects, any change to a more restrictive use and any change in use which is a conditional use or special exception.
- D. Operations and storage. All facilities and operations of any principal use (with the exception of nurseries, agriculture and the display for sales purposes of new or used cars, motorcycles, trucks, trailers, vehicles, or farm equipment, in operative condition or other similar uses), including the storage of raw material, finished products, fuel, machinery and equipment and any other materials or supplies, shall be enclosed and conducted within a building except as follows:

- (1) Sales area. One outdoor sales area meeting the required setbacks for the district shall be permitted, not to exceed the lesser of 10% of the interior retail sales space or 500 square feet.
- (2) Conditional use/special exception.
  - (a) Outdoor storage for other uses may be approved as a conditional use for a use listed as conditional use by the Schedule of Uses and as a special exception for a use listed as a special exception.
  - (b) In the case of a use listed as a principal permitted use by the Schedule of Uses, outdoor storage shall be considered a conditional use.
  - (c) Larger setbacks and/or buffers to afford protection to adjoining uses and any public road rights-of-way may be required.
- (3) Minimum setback. Unenclosed uses and activities shall, in any case, be a minimum of 50 feet from any existing residential structure or any R-1, R-2, R-3 or W-C District, unless a greater setback is required by this chapter.
- (4) Storage in setback and parking areas. Storage of equipment, supplies, products or any other materials shall not be permitted in any required setback or parking areas.

E. Fire and explosion hazards.

- (1) Safety devices; suppression. 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 firefighting and fire-suppression equipment and devices standard in the industry shall be required.
- (2) Burning. Burning of waste materials in open fires is prohibited.
- (3) Other requirements. The relevant provisions of federal, state and local laws and regulations shall also apply.
- (4) Hazard details. Details of the potential hazards and details of planned safety and accident response actions shall be provided by the developer for review by the Township.
- (5) Conditional uses and special exceptions. In the case of conditional uses and special exceptions, larger setbacks, additional buffer areas, fencing or other safety elements may be required by the Township if the nature of the proposed use as determined by the Township so requires.

F. Electromagnetic radiation and radioactive radiation.

- (1) Electromagnetic radiation. It shall be unlawful to operate, or cause to be operated, any planned or intentional source of electromagnetic radiation for such purposes as communication, experimentation, entertainment, broadcasting, heating, navigation, therapy, vehicle velocity measurement, weather survey, aircraft detection, topographical

survey, personal pleasure, for any other use directly or indirectly associated with these purposes which does not comply with the then current regulations of the Federal Communications Commission and other applicable regulations.

- (2) Radioactive radiation. No activities shall be permitted which emit dangerous radioactivity at any point beyond the property line. The handling of radioactive materials, the discharge of such materials into air and water and the disposal of radioactive wastes shall be in conformance with all applicable state and federal regulations.
- G. Noise. All uses, including residential uses, shall comply with the noise limitations established by Chapter 262, Noise, of the Code of the Township of Coolbaugh.
- H. Vibration. No vibration shall be permitted which is detectable without instruments at or beyond the property line; and no use shall generate any vibration which is capable of causing damage to buildings, structures, equipment alignment, or structural soundness. This requirement shall not apply to occasional blasting and other operations conducted in accord with applicable regulations that may be necessary during construction of streets, structure and utilities, and mineral extraction operations in compliance with state and federal regulations.
- I. Lighting and glare. The standards of this Subsection I shall also apply to residential and agricultural uses. Lighting shall be controlled in both height and intensity to maintain community character; and lighting design should be an inherent part of the project design. The applicant shall provide the specifications of the proposed lighting and its arrangement on the site. Any proposal which is considered a land development as defined by Chapter 355, Subdivision and Land Development, of the Code of the Township of Coolbaugh shall be governed by the lighting and glare standards in that chapter. Following the establishment of any land development, the ongoing operation and maintenance of the lighting facilities shall comply with the requirements of this Subsection I and violations shall be subject to the enforcement provisions of this chapter.
- (1) Purpose. To set standards for outdoor lighting to:
    - (a) Provide for and control lighting in outdoor places where public health, safety and welfare are potential concerns;
    - (b) Protect drivers and pedestrians from the glare of nonvehicular light sources;
    - (c) Protect neighbors, the environment and the night sky from nuisance glare and light trespass from improperly selected, placed, aimed, applied, maintained or shielded light sources; and
    - (d) Promote energy-efficient lighting design and operation.
  - (2) Applicability.
    - (a) This Subsection I shall apply to all uses within the Township where there is exterior lighting that is viewed from outside, including, but not limited to, residential, commercial, industrial, public and private recreational/sports and

institutional uses, and sign, billboard, architectural and landscape lighting.

(b) Exemptions. The following lighting applications are exempt from the requirements of this Subsection I:

- [1] Lighting within public right-of-way or easement for the principal purpose of illuminating streets or roads. No exemption shall apply to any lighting within the public right-of-way or easement when the purpose of the luminaire is to illuminate areas outside the public right-of-way or easement.
- [2] Lighting for public monuments and statuary.
- [3] Underwater lighting in swimming pools and other water features.
- [4] Low-voltage landscape lighting.
- [5] Individual porch lights of a dwelling.
- [6] Repairs to existing luminaires not exceeding 25% of the number of total installed luminaires.
- [7] Temporary lighting for theatrical, television, performance areas and construction sites.
- [8] Temporary lighting and seasonal decorative lighting, provided that individual lamps are less than 10 watts and 70 lumens.
- [9] Emergency lighting, as may be required by any public agency while engaged in the performance of their duties, or for illumination of the path of egress during an emergency.

(3) Standards.

(a) Illumination levels. Lighting shall have illuminances, uniformities and glare control in accord with the recommended practices of the Illuminating Engineering Society of North America (IESNA).

(b) Luminaire design.

[1] Horizontal surfaces.

[a] For the lighting of predominantly horizontal surfaces, such as, but not limited to, parking areas, roadways, culs-de-sac, vehicular and pedestrian passage areas, merchandising and storage areas, automotive fuel-dispensing facilities, automotive sales areas, loading docks, active and passive recreational areas, building entrances, sidewalks, bicycle and pedestrian paths, and site entrances, luminaires shall be aimed straight down and shall meet IESNA full-cutoff criteria.

[b] Luminaires with an aggregate rated lamp output not exceeding 500 lumens, e.g., the rated output of a standard nondirectional 40-watt incandescent or 10-watt compact fluorescent lamp, are exempt from the

requirements of this subsection. In the case of decorative streetlighting, luminaires that are fully shielded or comply with IESNA cutoff criteria may be used.

[2] Nonhorizontal surfaces.

[a] For the lighting of predominantly nonhorizontal surfaces such as, but not limited to, facades, landscaping, signs, billboards, fountains, displays and statuary, when their use is specifically permitted by the Township, luminaires shall be shielded and shall be installed and aimed so as to not project their output into the windows of neighboring residences, adjacent uses, past the object being illuminated, skyward or onto a public roadway.

[b] Luminaires with an aggregate rated lamp output not exceeding 500 lumens, e.g., the rated output of a standard nondirectional 40-watt incandescent or 10-watt compact fluorescent lamp, are exempt from the requirements of this subsection.

(c) Control of glare.

[1] All lighting shall be aimed, located, designed, fitted and maintained so as not to present a hazard to drivers or pedestrians by impairing their ability to safely traverse and so as not to create a nuisance by projecting or reflecting objectionable light onto a neighboring use or property.

[2] Directional luminaires such as floodlights and spotlights shall be so shielded, installed and aimed that they do not project their output into the windows of neighboring residences, adjacent uses, past the object being illuminated, skyward or onto a public roadway or pedestrianway. Floodlights installed above grade on residential properties, except when motion sensor-actuated, shall not be aimed out more than 45° from straight down. When a floodlight creates glare as viewed from an adjacent residential property, the floodlight shall be required to be re-aimed and/or fitted with a shielding device to block the view of the glare source from that property.

[3] Barn lights, aka dusk-to-dawn lights, when a source of glare as viewed from an adjacent property, shall not be permitted unless effectively shielded as viewed from that property.

[4] (Reserved)<sup>1</sup>

[5] Parking facility and vehicular and pedestrianway lighting (except for safety and security applications and all-night business operations), for commercial, industrial and institutional uses shall be automatically extinguished no later than one hour after the close of business or facility operation. When safety or security lighting is proposed for after-hours illumination, it shall not be in

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1. Editor's Note: Former § 400-49I(3)(c)[4], concerning the use of floodlights and wall-mounted luminaires in parking areas, was repealed 3-18-2014 by Ord. No. 119-2014.

excess of 25% of the number of luminaires or illumination level required or permitted for illumination during regular business hours. When it can be demonstrated to the satisfaction of the Township that an elevated security risk exists, e.g., a history of relevant crime, an appropriate increase above the 25% limit may be permitted as a conditional use.

- [6] Luminaires shall be automatically controlled through the use of a programmable controller with battery power-outage reset, which accommodates daily and weekly variations in operating hours, annual time changes and seasonal variations in hours of darkness. The use of photocells is permitted when in combination with the programmable controller to turn luminaires on at dusk and also for all-night safety/security dusk-to-dawn luminaire operation when such lighting is specifically approved by the Township in accord with Subsection I(3)(c)[5]. The use of motion detectors is permitted.
- [7] Vegetation screens shall not be employed to serve as the primary means for controlling glare. Rather, glare control shall be achieved primarily through the use of such means as cutoff luminaires, shields and baffles, and appropriate application of luminaire mounting height, wattage, aiming angle and luminaire placement.
- [8] Light spillover. The maximum light spillover limit at the boundary line of R-1, R-2, R-3, SP and W-C Districts and permanent open space shall be 0.1 footcandle, and 1.0 footcandle at the boundary line of C-1, C-2, I and I-A Districts, each measured line-of-sight at any time and from any point on the receiving residential property.
- [9] Height. Except as permitted for certain recreational lighting and permitted elsewhere in this subsection, luminaires shall not be mounted in excess of 20 feet above finished grade (AFG) of the surface being illuminated. Luminaires not meeting full-cutoff criteria, when their use is specifically permitted by the Township, shall not be mounted in excess of 16 feet AFG. Mounting height shall be defined as the distance from the finished grade of the surface being illuminated to the optical center of the luminaire. Where proposed parking lots consist of 100 or more contiguous spaces, the Township may, at its discretion, based partially on mitigation of potential off-site impacts, permit a luminaire mounting height not to exceed 25 feet AFG. For maximum mounting height of recreational lighting, see Subsection I(4).
- [10] The United States and the state flag may be illuminated from dusk to dawn. All other flags shall not be illuminated past 11:00 p.m. Flag lighting sources shall not exceed 7,000 aggregate lamp lumens per flagpole. The light source shall have a beam spread no greater than necessary to illuminate the flag.
- [11] Under-canopy lighting for such applications as gas/service stations, hotel/theater marquees, fast-food/bank/drugstore drive-ups, shall be accomplished using flat-lens full-cutoff luminaires aimed straight down and shielded in such a manner that the lowest opaque edge of the luminaire shall be below the light

source and its light-directing surfaces, at all lateral angles around the luminaire. The average illumination intensity in the area directly below the canopy shall not exceed 20 maintained footcandles and the maximum density shall not exceed 30 initial footcandles.

[12] Soffit lighting around building exteriors shall not exceed 15 initial footcandles. **[Amended 3-18-2014 by Ord. No. 119-2014 ]**

[13] The use of white strobe lighting for tall structures such as smokestacks, chimneys and radio/communications towers is prohibited during hours of darkness except as required by the Federal Aviation Administration.

(d) Installation.

[1] Electrical feeds for lighting standards shall be run underground, not overhead, and shall be in accord with the National Electric Code (NEC) Handbook.

[2] Poles supporting luminaires for the illumination of parking areas and located within the parking area or directly behind parking spaces, or where they could be hit by snow plows or wide-swinging vehicles, shall be protected by being placed a minimum of five feet outside paved area or tire stops, or placed on concrete pedestals at least 30 inches high above the pavement, shielded by steel bollards or protected by other effective means.

[3] Pole-mounted luminaires for lighting horizontal surfaces shall be aimed straight down and poles shall be plumb.

[4] Poles and brackets for supporting luminaires shall be those specifically manufactured for that purpose and shall be designed and rated for the luminaire and mounting accessory weights and wind loads involved.

[5] Pole foundations shall be designed consistent with manufacturer's wind load requirements and local soil conditions involved.

(e) Maintenance. Luminaires and ancillary equipment shall be maintained so as to meet the requirements of this chapter.

(f) Billboards and signs. The lighting of new or relighting of existing billboards and signs shall require a permit, which shall be granted when the Zoning Officer is satisfied that excessive illumination, light pollution, glare and light trespass have been adequately mitigated, and shall be subject to the following requirements:

[1] Externally illuminated billboards and signs shall have luminaires mounted at the top of the billboard or sign and aimed downward. The luminaires shall be designed, fitted and aimed to shield the lamp and its reflective surfaces from off-site view and to place the light output onto and not beyond the sign or billboard. At no point on the face of the sign or billboard and at no time shall the illumination exceed 30 vertical footcandles during hours of darkness.

[2] Internally illuminated signs shall have a dark field and light message. The aggregate output of the light sources shall not exceed 500 initial lumens per



square foot of sign face per side.

- [3] Electronic message signs shall comply with the requirements of Article XIII.
  - [4] The illumination of a billboard within 400 feet of a residential use shall not be permitted.
  - [5] Rotating, traveling, pulsing, flashing or oscillating light sources, lasers, beacons, searchlights or strobe lighting shall not be permitted.
  - [6] The use of highly reflective signs that creates nuisance glare or a safety hazard shall not be permitted.
- (4) Recreational uses. The nighttime illumination of outdoor recreational facilities for such sports as baseball, basketball, soccer, tennis, track and field, and football typically necessitate higher than normally permitted luminaire mounting heights and aiming angles, utilize very high-wattage lamps and potentially produce unacceptable levels of light trespass and glare when located near residential or open space properties. When recreational uses are specifically permitted by the Township for operation during hours of darkness, the following requirements shall apply:
- (a) Race tracks and such recreational venues as golf driving ranges and trap-shooting facilities that necessitate the horizontal or near horizontal aiming of luminaires and projection of illumination, may be permitted by conditional use. A visual impact analysis shall be required in accord with Subsection I(4)(e).
  - (b) A proposed illuminated recreational facility located within a residential district or sited on a nonresidential property located within 1,000 feet of a property in a R-1, R-2 or R-3 District shall be considered a conditional use.
  - (c) Sporting events shall be timed to end at such time that all lighting in the sports facility, other than lighting for safe exit of patrons, shall be extinguished by 10:00 p.m. except in the occurrence of extra innings, overtimes or makeup games.
  - (d) Maximum mounting heights for recreational lighting shall be in accordance with the following:
    - [1] Basketball: 20 feet.
    - [2] Football: 70 feet.
    - [3] Soccer: 70 feet.
    - [4] Lacrosse: 70 feet.
    - [5] Baseball and softball.
      - [a] Two-hundred-foot radius: 60 feet.
      - [b] Three-hundred-foot radius: 70 feet.
    - [6] Miniature golf: 20 feet. [See "driving range" in Subsection I(4)(a).]

- [7] Swimming pool aprons: 20 feet.
  - [8] Tennis: 20 feet.
  - [9] Track: 20 feet.
  - [10] All uses not listed: 20 feet.
- (e) Visual impact plan. To assist the Township in determining whether the potential impacts of proposed lighting have been suitably managed, applications for illuminating recreational facilities shall be accompanied not only with the information required by Subsection I(5) but also by a visual impact plan that contains the following:
- [1] Plan views containing a layout of the recreational facility and showing pole locations and the location of residences on adjoining properties.
  - [2] Elevations containing pole and luminaire mounting heights, horizontal and vertical aiming angles and luminaire arrays for each pole location.
  - [3] Elevations containing initial vertical illuminance plots at the boundary of the site, taken at a height of five feet line-of-sight.
  - [4] Elevations containing initial vertical illuminance plots on the windowed facades of all residences facing and adjacent to the recreational facility. Such plots shall demonstrate compliance with the light trespass and glare control requirements of Subsection I(3)(c).
  - [5] Proposed frequency of use of the facility during hours of darkness on a month-by-month basis and proposed time when the sports lighting will be extinguished.
  - [6] A narrative describing the measures proposed to achieve minimum off-site disturbance.
- (5) Plan submission. Lighting plans shall be submitted for Township review and approval for subdivision and land development, conditional use, variance, zoning permit and special exception applications. The submitted information shall include the following:
- (a) A plan or plans of the site, complete with all structures, parking spaces, building entrances, traffic areas (both vehicular and pedestrian), existing and proposed trees, and adjacent uses that might be adversely impacted by the lighting. The lighting plan shall contain a layout of all proposed and existing luminaires, including but not limited to area, architectural, building entrance, canopy, soffit, landscape, flags and signs, by location, orientation, aiming direction, mounting height, lamp, photometry and type.
  - (b) A ten-foot-by-ten-foot illuminance grid (point-by-point) plot of maintained horizontal footcandles overlaid on the site plan, plotted out to 0.0 footcandle, which demonstrates compliance with the light trespass, illuminance and uniformity requirements as set forth in this chapter. When the scale of the plan, as judged by

the Township, makes a ten-foot-by-ten-foot grid plot illegible, a more legible grid spacing may be permitted.

- (c) Light-loss factors, IES candela test-filename, initial lamp-lumen ratings and specific lamp manufacturer's lamp ordering nomenclature, used in calculating the plotted illuminance levels.
  - (d) Description of the proposed equipment, including luminaire catalog cuts, photometrics, glare-reduction devices, lamps, on/off control devices, mounting heights, pole foundation details, pole-protection means and mounting methods.
  - (e) Landscaping plans shall contain luminaire locations, demonstrating that the site lighting and landscaping have been coordinated to minimize conflict between vegetation and intended light distribution, both initially and at vegetation maturity.
  - (f) When requested by the Township for conditional uses or special exceptions, the applicant shall also submit a visual impact plan in accord with Subsection I(4)(e).
  - (g) Plan notes. The following notes shall appear on the lighting plan:
    - [1] Post-approval alterations to lighting plans or intended substitutions for specified lighting equipment on the approved plan shall be submitted to the Township for review and approval prior to installation. Requests for substitutions shall be accompanied by catalog cuts of the proposed equipment that demonstrate the proposed substitution is equal to or exceeds the optical quality and maintainability of the specified luminaires; and shall be accompanied by a lighting plan, including a point-by-point plot, which demonstrates that proposed substitutions will result in a lighting design that equals or exceeds the quality of the approved plan.
    - [2] The Township reserves the right to conduct post-installation inspections to verify compliance with ordinance requirements and approved lighting plan commitments, and if deemed appropriate by the Township, to require remedial action at no expense to the Township.
    - [3] All exterior lighting, including building-mounted lighting, shall meet IESNA full-cutoff criteria unless otherwise specifically approved by the Township.
    - [4] Installer shall notify Township to arrange for inspection and approval of all exterior lighting, including building-mounted lighting, prior to its installation.
- (6) Violations; safety hazards.
- (a) When the Zoning Officer determines that a lighting installation violates any provision of this chapter or creates a safety hazard, an enforcement proceeding shall be initiated in accord with § 400-134C.
  - (b) If appropriate corrective action has not been effected within 15 days of notification, the Township may take appropriate legal action.
- (7) Nonconforming lighting. A nonconforming lighting fixture or lighting installation shall

be made to conform with the applicable requirements of this Subsection I when:

- (a) It is deemed by the Zoning Officer to create a safety hazard;
  - (b) It is replaced, abandoned or relocated;
  - (c) There is a change in use.
- (8) Definitions. Words and phrases used in this Subsection I shall have the meanings set forth in this Subsection I. Words and phrases not defined in this Subsection I but defined in Article III shall be given the meanings set forth in said article. All other words and phrases shall be given their common, ordinary meaning, unless the context clearly requires otherwise.

**ARCHITECTURAL LIGHTING** — Lighting designed to reveal architectural beauty, shape and/or form and for which lighting for any other purpose is incidental.

**FOOTCANDLE** — The amount of illumination the inside surface of a one-foot radius sphere would receive if there were a uniform point source of one candela in the exact center of the sphere. The footcandle is equal to one lumen per square foot, and is measurable with an illuminance meter (light meter).

**FULL CUTOFF** — Attribute of a luminaire from which no light is emitted at or above a horizontal plane drawn through the lowest light-emitting portion of the luminaire and no more than 10% of the lamp's intensity is emitted at or above an angle 10° below that horizontal plane, at all lateral angles around the luminaire. A full-cutoff luminaire, by definition, also is fully shielded.

**FULLY SHIELDED** — A luminaire with opaque top and sides, capable of emitting light only in the lower photometric hemisphere as installed.

**GLARE** — Light entering the eye directly from luminaires or indirectly from reflective surfaces that causes visual discomfort or loss in visual performance and visibility.

**LAMP** — A generic term for a source of optical radiation, often called a "bulb" or "tube."

**LED** — Light-emitting diode.

**LIGHT FIXTURE** — The complete lighting assembly (including the lamp, housing, reflectors, lenses and shields), not included the support assembly (pole or mounting bracket).

**LIGHTING SYSTEM** — On a site, all exterior electric lighting and controls.

**LIGHT TRESPASS** — Light emitted by a luminaire or installation, which is cast beyond the boundaries of the property on which the lighting installation is sited.

**LUMEN** — As used in the context of this chapter, the light-output rating of a lamp (light bulb).

**LUMINAIRE** — The complete lighting unit (fixture), consisting of a lamp, or lamps and ballast(s) when applicable, together with the parts designed to distribute the light (reflector lens, diffuser) to position and protect the lamps, and to connect the lamps to the power supply.

LUMINAIRE, SHIELDED DIRECTIONAL — A fully shielded luminaire with an adjustable mounting device allowing aiming in a direction other than straight downward.

- J. Odors. No emission shall be permitted of odorous gases or other odorous matter except in full compliance with Pennsylvania Department of Environmental Protection requirements.
- K. Other forms of air pollution. No emission of fly ash, dust, fumes, vapors, gases and other forms of air pollution shall be permitted except in full compliance with PA DEP requirements.
- L. Surface and ground water protection. All activities involving the possible contamination of surface or groundwater shall be provided with adequate safety devices to prevent such contamination.
  - (1) Report. The Township may require the applicant to submit a report from a qualified engineer or geologist detailing:
    - (a) The geologic structure of the area proposed to be disturbed and identifying the probable impacts on groundwater supply and quality.
    - (b) 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.
    - (c) The use of groundwater and any processes that could result in the depletion of groundwater supplies.
  - (2) Large volume use. In cases where the use requires the use of 10,000 gallons per day or more of groundwater, the developer shall provide appropriate hydrogeologic studies which clearly establish that the proposed use will not cause a reduction in the quantity or the quality of groundwater supplies available to other properties located within 1,000 feet of any portion of the property where the proposed use will be located.
  - (3) Conditional uses and special exceptions. In the case of conditional uses and special exceptions, 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.
- M. Stormwater management and soil erosion control.
  - (1) Stormwater management. Stormwater management shall be provided in accord with Chapter 344, Stormwater Management and Earth Disturbance, and Chapter 355, Subdivision and Land Development, of the Code of the Township of Coolbaugh.
  - (2) Soil erosion and sedimentation control.
    - (a) All soil erosion and sedimentation control plans shall meet the specifications of the Monroe County Conservation District and PA DEP, and shall comply with Commonwealth of Pennsylvania, Title 25, Chapter 102 Department of Environmental Protection regulations for soil erosion and sedimentation control

and Chapter 344, Stormwater Management and Earth Disturbance, of the Code of the Township of Coolbaugh.

- (b) Erosion and sedimentation controls shall be installed according to the approved plan and shall be maintained by the developer in proper functioning condition until stabilization of the area is completed as determined by the Monroe Conservation District. Failure to install and maintain the controls shall constitute a violation of this chapter.
- N. Waste materials. The standards of this Subsection N shall also apply to residential and agricultural uses.
- (1) Storage. No liquid, solid, toxic or hazardous waste shall be stored, 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.
  - (2) Discharge. No waste discharge shall be permitted into any reservoir, sewage or stormwater disposal system, stream, open body of water or onto the ground except in accord with applicable state and federal regulations.
  - (3) Disposal. All waste materials shall be disposed of only in accord with Chapter 337, Solid Waste, of the Code of the Township of Coolbaugh and all applicable state and federal regulations and applications for any use which results in waste materials regulated by the state or federal government shall include a list of all such wastes and the method of temporary storage, handling and disposal.
  - (4) Trash storage. Outdoor trash storage areas for nonresidential uses and storage areas serving three or more dwelling units shall be designed and maintained to be completely screened from view by a landscape buffer or other approved screening not less than eight feet in height, and the storage area shall conform to all accessory structure setbacks.
  - (5) Containers. All storage containers shall be secured from the entry of animals.
- O. Settling and/or storage ponds and reservoirs. All ponds, reservoirs or other such storage facilities which are associated with any manufacturing or industrial process, or any sewage or waste disposal process shall be fenced or shall otherwise be physically controlled to prevent access by the public. Said fence shall be not less than four feet high and of a design to restrict access to the area to be controlled. Any such facility which contains any material which is poisonous, toxic or caustic, shall be considered a conditional use, and the Board of Supervisors shall, at a minimum, require that such structure be enclosed by a chain link fence not less than eight feet high.
- P. Security. In cases where deemed necessary by the Township, the applicant shall provide a plan addressing security needs to protect the health and safety of the public as well as the occupants of the proposed facility. Such plan shall:

- (1) Describe the specific services to be offered, type of patients and/or residents, to be served, and the staff to be employed for this purpose.
  - (2) Identify the forms of security normally required with care of the type to be offered and detail the specific measures to be taken in the construction, development and operation of the facility so as to provide appropriate security.
  - (3) At a minimum, provide for the reasonable restriction of unauthorized entry and/or exit to and from the property and provide for effective separation from adjoining residences by means of fencing, signs or a combination thereof.
  - (4) Include measures to ensure that lighting and noise is controlled, particularly with respect to loudspeakers or other amplification devices and floodlights.
- Q. Industrial and manufacturing traffic. Traffic to an industrial or manufacturing use shall not use a local street through a residential district, except for emergency vehicle access.
- R. Heat. Heat, defined as thermal energy of a radiated, conductive or convective nature, emitted at any or all points shall not at any time cause a temperature increase on any adjacent property in excess of 1° F., whether such change be in the air or in the ground, in a natural stream or lake, or in any structure of such adjacent property.
- S. Monitoring of conditional uses and special exceptions. If a reasonable doubt exists that a conditional use or special exception would violate the performance standards or any condition of approval, the Supervisors or Zoning Hearing Board may require a use to fund such reasonable and necessary monitoring to ensure its compliance.
- T. Other regulations. The Zoning Officer, Planning Commission, Board of Supervisors or the Zoning Hearing Board, as the case may be, may require documentation from 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 Pennsylvania Department of Transportation, the Pennsylvania Department of Environmental Protection the Pennsylvania Department of Labor and Industry, the Federal Emergency Management Agency and the United States Environmental Protection Agency.