

- n. Off-street parking shall be provided in accordance with the requirements of §1702.3.

1503.41 Nightclub, subject to:

- a. Nightclubs shall cease operations between the hours of 2:00 a.m. and 5:00 a.m.
- b. There shall be no noise or vibration discernible along any property line greater than the average noise level occurring on adjacent streets and properties.
- c. All operations shall be conducted within a completely enclosed building and doors and windows shall remain closed during hours when entertainment is presented.
- d. The owner/operator of the nightclub shall provide private security, licensed under the laws of the Commonwealth of Pennsylvania if the maximum permitted occupancy allowed by the Uniform Construction Code or Fire Codes of the nightclub exceeds one hundred (100) persons.
- e. Any nightclub that proposes a maximum permitted occupancy allowed by the Uniform Construction Code or Fire Codes of two hundred (200) or more persons shall be located at least five hundred (500) feet from any property line that adjoins property in an A-1, R-1, R-2, R-3 or R-4 District.
- f. Any nightclub that offers adult entertainment, as defined herein, shall be further subject to §1503.3 of this Article.

1503.42 Oil and Gas Wells, subject to:

- a. All activities conducted in association with, and as a part of, oil and gas wells shall be in accordance with the Commonwealth of Pennsylvania Oil and Gas Act (Act 1984-223), as amended, and any other applicable Federal, State, County and Township statutes.
- b. Oil and gas wells shall not be located within three hundred (300) feet of an existing dwelling on adjacent property unless the owner of the dwelling consents to a reduced distance.
- c. If an existing dwelling is located within three hundred (300) feet of an active well, the line of sight between the dwelling, its rear yard and the well shall be buffered either by existing vegetation or by Buffer Area "C", as described in §1602.1 of this Ordinance.
- d. The applicant shall have obtained from appropriate State and other applicable regulatory agencies or authorities permits issued in accordance with all applicable laws and regulations for the proposed use. In the event such permits

have not been issued at the time Township conditional use approval is requested, applicant's zoning approval shall be expressly conditioned on the granting of necessary permits as required by the above agencies or authorities. At the time of making application to such authorities, the applicant shall file with the Township Secretary or his/her designee a copy of each State or Federal application with supporting documentation for the proposed use.

- e. The applicant shall provide a description of plans for the transportation of materials and equipment to construct the facility, and measures that will be taken to maintain all roads within the Township that are used to transport materials and equipment, and to repair any damages to the roads that may occur as a result.
- f. Any material stored outside an enclosed structure being used as an incidental part of the primary operation shall be screened by opaque ornamental fencing, walls or evergreen plant material in order to minimize visibility if the storage area is readily visible from adjoining occupied residential properties. Such materials shall not be deemed to include operable vehicles.
- g. An emergency response plan shall be submitted addressing methods to handle the following:
 - 1. well leakage
 - 2. spill containment
 - 3. vandalism creating unknown conditions
 - 4. defective casing or cementing
 - 5. potential communication between the well and the public water supply
- h. The applicant shall provide certification that a bond is held by the Pennsylvania Department of Environmental Protection (PA DEP) to ensure proper plugging when the well is classified as inactive by the PA DEP.
- i. The applicant shall provide a schedule indicating the following dates:
 - 1. Site preparation beginnings and endings
 - 2. Anticipated drilling activity beginnings and endings
 - 3. Anticipated completion (perforating) work to begin and end
 - 4. Anticipated stimulation (fracturing) work to begin and end
 - 5. Anticipated production work to begin and end
 - 6. Anticipated plugging date
- j. Adequate security measures shall be proposed to protect wellheads that are in a remote location.
- k. The access road to the well site shall be improved with a dust-free, all weather surface in such a manner that no water, sediment or debris will be carried onto any public street.

- I. If the access road to the well site intersects with a Township street, a Driveway Permit shall be obtained in accordance with Township requirements.
- m. An off-street area for maintenance vehicles to stand while gaining entrance to the access road shall be provided that does not disrupt the normal flow of traffic on the public street.

1503.43 Planned Industrial Park; Planned Office Park; Planned Research or Technology Park, subject to:

- a. The site shall have frontage on and direct vehicular access to an arterial or collector street, as defined by this Ordinance.
- b. The minimum site area required shall be twenty (20) acres.
- c. Once the improvements are completed in an approved Planned Industrial Park, Planned Office Park or Planned Research or Technology Park, lots within an approved and recorded plan may be sold and developed as independent entities for any authorized use in the Zoning District in which it is located.
- d. Only the uses permitted by right or authorized as conditional uses or uses by special exception in the Zoning District in which the Planned Industrial Park, Planned Office Park or Planned Research and Technology Park is located shall be permitted in the Planned Industrial Park, Planned Office Park or Planned Research and Technology Park.
- e. The site plan shall be designed to minimize points of access to the public street. Shared driveways shall be utilized where feasible and cross-easements dedicated for common access, where necessary.
- f. The site shall be planned as a unit and uniform signage and landscaping and common parking and loading areas shall be proposed to promote efficiency and preserve a common design theme.
- g. A perimeter setback of one hundred (100) feet shall be maintained along the side and rear property lines of the Planned Industrial Park, Planned Office Park or Planned Research or Technology Park.
- h. All property lines on the boundary of the site that adjoin property in an A-1, R-1, R-2, R-3 or R-4 District shall be screened by Buffer Area "A" as described in §1602.1 of this Ordinance.
- i. All proposed uses shall comply with the Performance Standards of Section 1601 of this Ordinance.

- (b) that the granting of the variance will neither result in an unacceptable or prohibited increase in flood heights, additional threats to public safety, or extraordinary public expense; nor create nuisances, cause fraud on, or victimize the public, or conflict with any other applicable State statute or regulations, or local ordinances or regulations.
7. A report of all variances granted during the year that involve uses or activities in any FW (Floodway Area), FF (Flood-Fringe Area) or FA (General Flood Plain Area) shall be included in the annual report to the Federal Emergency Management Agency (FEMA).
8. Notwithstanding any of the above, however, all structures shall be designed and constructed so as to have the capability of resisting the one hundred (100) year flood.

ORDAINED AND ENACTED THIS 23rd DAY OF June, 2009.

TOWNSHIP OF SOUTH STRABANE

/s/ Thomas Moore
Chairman, Board of Supervisors

ATTEST:

/s/ John Stickle
Township Secretary