

BOROUGH OF ARCHBALD

ORDINANCE NO. 4 OF 2005

**AN ORDINANCE AMENDING THE ARCHBALD BOROUGH ZONING ORDINANCE
AND ZONING MAP**

By the powers granted to the Borough of Archbald by the Pennsylvania Borough Code, 53 P.S. §45101 et seq., and by the Pennsylvania Municipalities Planning Code, 53 P.S. §10101 et seq., be it ~~ENACTED~~ and **ORDAINED** by the Borough Council of the Borough of Archbald, Lackawanna County, Pennsylvania, and it is hereby **ENACTED** and **ORDAINED** by the authority of the Archbald Borough Council as follows:

SECTION I. TITLE

This Ordinance shall be known as, "Ordinance No. 4 of 2005".

SECTION II. POLICY

Pursuant to its authority under the Pennsylvania Borough Code and the Pennsylvania Municipalities Planning Code, and for the health, safety and general welfare of the Borough of Archbald and its residents, the Archbald Borough Council enacts the within Ordinance.

SECTION III. DEFINITIONS

A. **BOROUGH** - Means the Borough of Archbald, Lackawanna County, Pennsylvania, the Mayor of the Borough of Archbald, the Archbald Borough Council and any duly authorized member or agent of any of the above.

B. **ZONING MAP** - Means the Archbald Borough Zoning Map currently in existence.

C. **ZONING ORDINANCE** - Means the Archbald Borough Zoning Ordinance currently in effect, as previously amended.

SECTION IV. CONSTRUCTION OF WORDS AND PHRASES

A. **NUMBER; GENDER; TENSE** - The singular shall include the plural and the plural, the singular. Words used in the masculine gender shall include the feminine and neuter. Words used in the past or present tense shall include the future.

B. **WORDS AND PHRASES** - Words and Phrases shall be construed according to rules of grammar and according to their common and approved usage; but technical words and phrases and such others as have acquired a peculiar and appropriate meaning or are defined in the within Ordinance, shall be construed according to such peculiar and appropriate meaning or definition.

C. **RULES OF INTERPRETATION** - Where applicable, the rules of interpretation as set forth in 1 Pa.C.S.A. §1901, et seq., shall apply to the within Ordinance.

**SECTION V. AMENDMENT OF THE ARCHBALD BOROUGH ZONING
ORDINANCE AND ZONING MAP**

Be it ENACTED and ORDAINED by the Archbald Borough Council and it is hereby ENACTED and ORDAINED by the authority of the Archbald Borough Council pursuant to its authority under the Pennsylvania Borough Code and the Pennsylvania Municipalities Planning Code that the Archbald Borough Council hereby amends the Archbald Borough Zoning Ordinance and Zoning map to change from a C-3 commercial zone to an R-2 residential zone, an area identified as Lot no. 1 on Lackawanna County Tax Map No. 94.03 and extending on to Lackawanna County Tax Map No. 94.01. The subject property is located east of the intersection of U.S. Route 6 and Betty Street and approximately 600 feet northwest of Thomas Street. A copy of the Archbald Borough Zoning Map showing this area rezoned from an a C-3 commercial zone to an R-2 residential zone is attached hereto and made a part hereof as Exhibit "A".

SECTION VI. SEVERABILITY AND AMENDMENT

If any section, clause, provision or portion of this Ordinance shall be held invalid or unconstitutional by any court of competent jurisdiction, such decision shall not affect any other section, clause, provision or portion of this Ordinance, so long as it remains workable minus the invalid portion.

SECTION VII. REPEAL OF CONFLICTING ORDINANCES

The within Ordinance supersedes and repeals all former and/or prior Ordinance or parts thereof which conflict, or are in any way inconsistent with the provisions of this Ordinance and, to the extent that any prior or existing Ordinances of the Borough of Archbald are inconsistent with the terms of the within Ordinance, said inconsistent Ordinances, or portions thereof, are expressly hereby repealed.

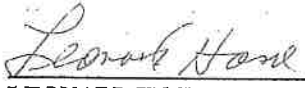
SECTION VIII. EFFECTIVE DATE


This Ordinance shall become effective at the earliest period allowed by law.

ENACTED AND ORDAINED THIS 13th DAY OF APRIL, 2005.

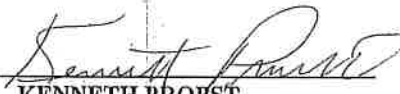
ATTEST:

BOROUGH COUNCIL OF THE
BOROUGH OF ARCHBALD

 (SEAL)
LEONARD HOSIE
Secretary Borough of Archbald

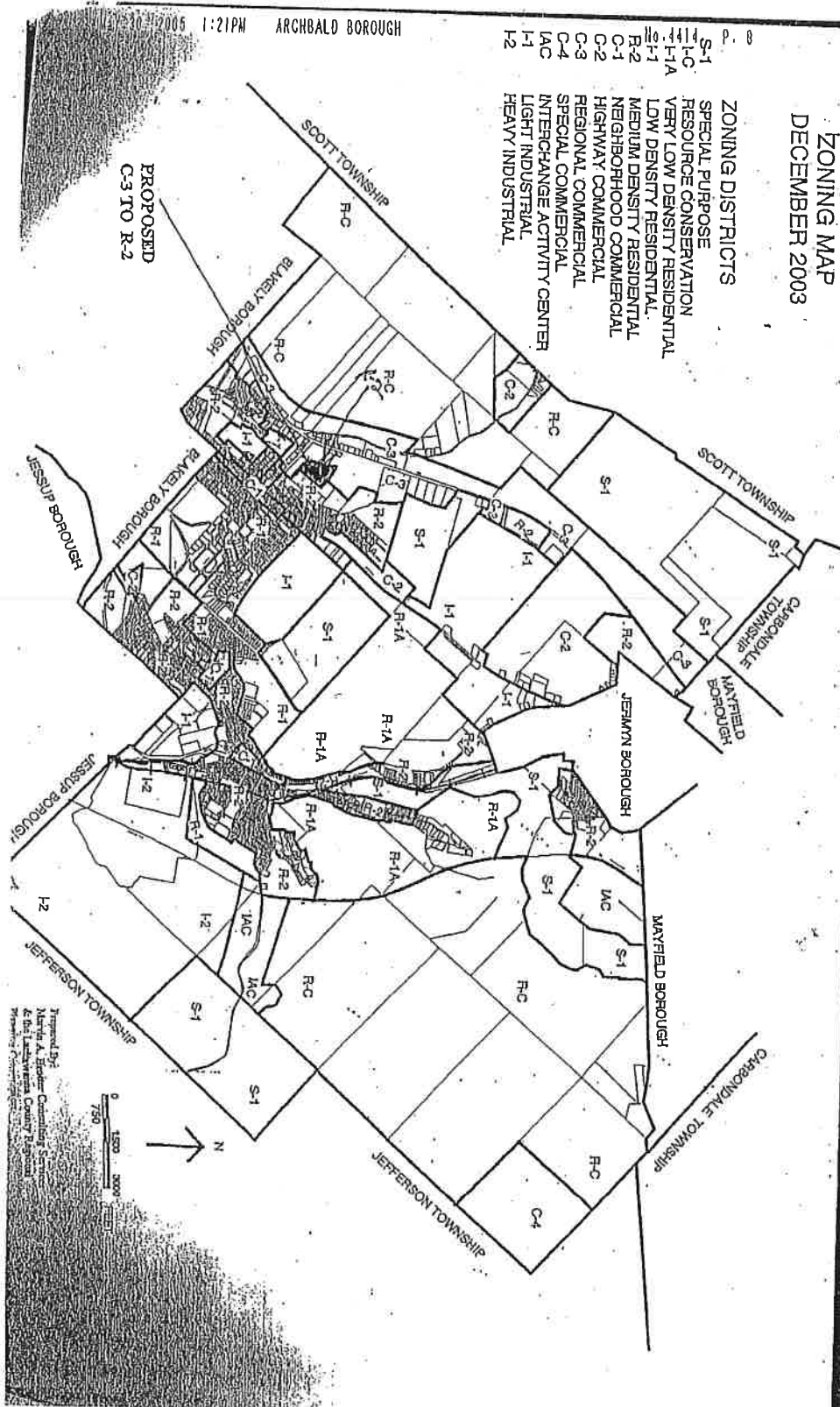
By: 
JAMES SIDDON
President Archbald Borough
Council

EXAMINED AND APPROVED THIS 13th DAY OF APRIL, 2005.

BY: 
KENNETH PROPST
Mayor Borough of Archbald

ZONING MAP DECEMBER 2003

- S-1 SPECIAL PURPOSE
 R-C RESOURCE CONSERVATION
 V-1 VERY LOW DENSITY RESIDENTIAL
 H-1A LOW DENSITY RESIDENTIAL
 R-2 MEDIUM DENSITY RESIDENTIAL
 C-1 NEIGHBORHOOD COMMERCIAL
 C-2 HIGHWAY COMMERCIAL
 C-3 REGIONAL COMMERCIAL
 C-4 SPECIAL COMMERCIAL
 I-1 INTERCHANGE ACTIVITY CENTER
 I-2 LIGHT INDUSTRIAL
 H-1 HEAVY INDUSTRIAL



BOROUGH OF ARCHBALD
ZONING MAP AMENDMENT
ORDINANCE NO. 9, 2006

The Borough Council of the Borough of Archbald hereby amends the Archbald Borough Zoning Map, as follows:

1. The amendment of the Zoning Map of the Borough of Archbald, dated October 2006, is to include the following change, as more specifically delineated on the Zoning Map dated December 2006.

Change from R-1A- to I-1 the property of J & J Rudalavage, a parcel of approximately 24.1 acres. Said parcel is a portion of the P. Dilly and the R. Dilly Warrants located on Block No. 1, Lot No. 4 on Lackawanna County Tax Map No. 84.04. The subject property has approximately 300 feet of frontage on the easterly side of the Eynon-Jermyn Road and . Said 300 ft. frontage is situated between two areas that are zoned C-2. The property extends to the southeast from the Eynon-Jermyn Road a distance of approximately 1500 feet; then it extends northeast a distance of approximately 2064 feet.

2. VALIDITY

If any section, subsection, sentence, clause, or phrase of this Ordinance is for any reason held by a Court of competent jurisdiction to be invalid, such a decision shall not affect the validity of the remaining portions of this Ordinance. The Governing Body of the Borough of Archbald hereby declares that it would have passed this Ordinance and each section or part thereof irrespective of the fact that any one or more sections or parts thereof be declared invalid.

3. EFFECTIVE DATE

This Ordinance shall take effect at the earliest period allowed by law.

Duly presented and adopted at a regular meeting of the Borough Council of the Borough of Archbald, Pennsylvania held on this 6th day of December 2006.

ATTEST:

Leonard E. Vasu
Secretary

Joseph D. Daley
President, Borough Council

Approved this 6th day of December 2006.

Edmund J. ...
Mayor

ARCHBALD BOROUGH

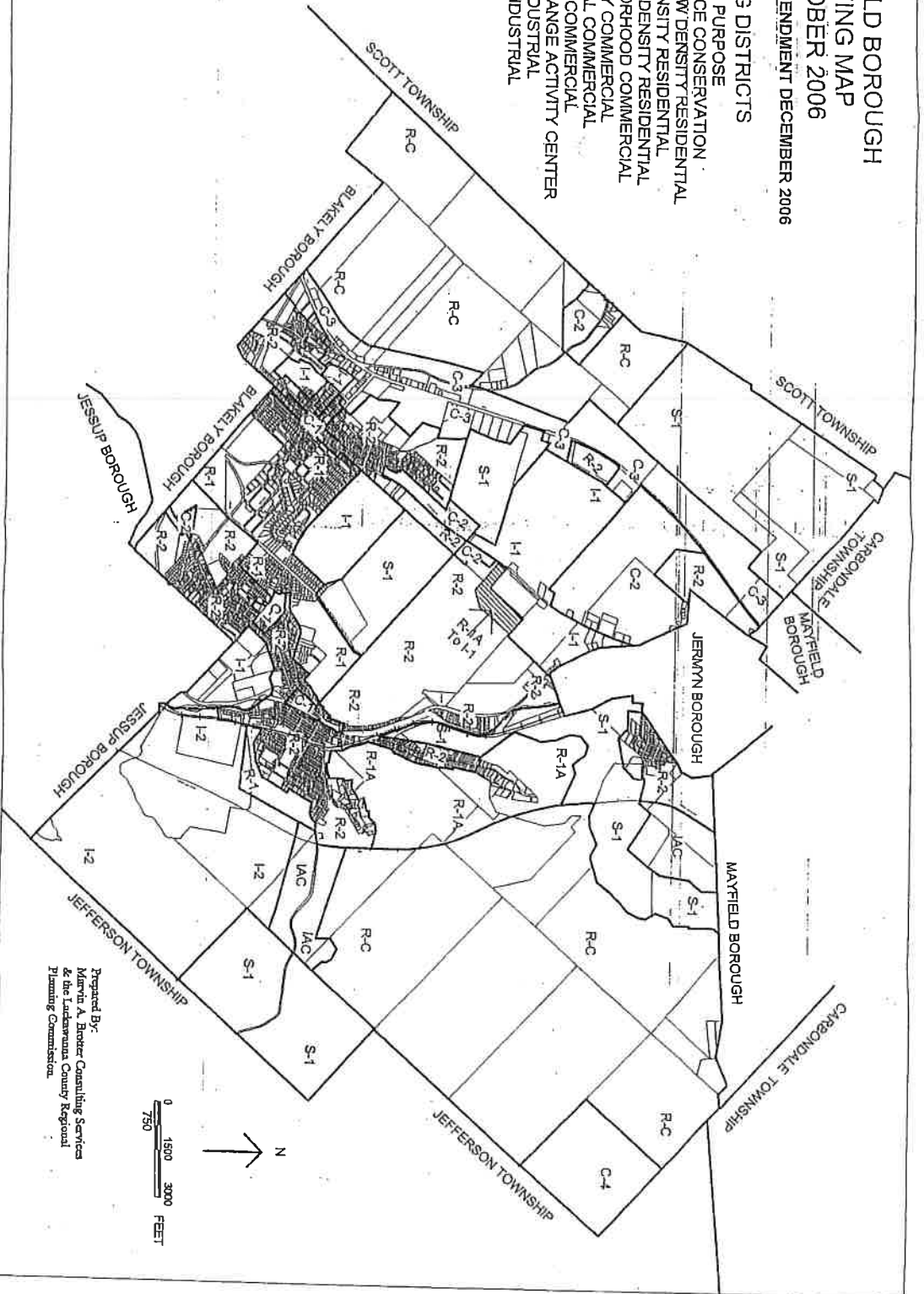
ZONING MAP

OCTOBER 2006

PROPOSED AMENDMENT DECEMBER 2006

ZONING DISTRICTS

- S-1 SPECIAL PURPOSE
- R-C RESOURCE CONSERVATION
- R-1A VERY LOW DENSITY RESIDENTIAL
- R-1 LOW DENSITY RESIDENTIAL
- R-2 MEDIUM DENSITY RESIDENTIAL
- C-1 NEIGHBORHOOD COMMERCIAL
- C-2 HIGHWAY COMMERCIAL
- C-3 REGIONAL COMMERCIAL
- C-4 SPECIAL COMMERCIAL
- IAC INTERCHANGE ACTIVITY CENTER
- L-1 LIGHT INDUSTRIAL
- L-2 HEAVY INDUSTRIAL



Prepared By:
Maurice A. Bricker Consulting Services
for the Lackawanna County Regional
Planning Commission

BOROUGH OF ARCHBALD
ZONING MAP AMENDMENT

ORDINANCE NO. 2-2007

SECTION I: PURPOSE

The Borough Council of the Borough of Archbald hereby amends the Archbald Borough Zoning Map, as follows:

Rezone a parcel of approximately 29.24 acres on the south side of Salem Road, a distance of approximately 1200 feet east of U.S. Route 6. The area to be rezoned is a portion of the parcel identified as No. 105.01-030-024 on the Lackawanna County tax maps. The area is zoned IAC and it is adjacent to the I-2 Zone. It is hereby rezoned from IAC to I-2.

SECTION II: SEVERABILITY AND REPEALER

- a. Should any section, clause or provision of this Ordinance be declared by the courts to be invalid, the same shall not affect the validity of the Ordinance as a whole or the parts thereof, other than the part so declared to be invalid.
- b. All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

SECTION III: EFFECTIVE DATE

This Ordinance shall take effect at the earliest period allowed by law.

Duly presented and adopted at a regular meeting of the Borough Council of the Borough of Archbald, Pennsylvania held on this 18th day of July, 2007.

ATTEST:

Leonard E. Hane
Secretary

Dave Moran
President, Borough Council

Approved this 18th day of July, 2007.

[Signature]
Mayor

BOROUGH OF ARCHBALD

ORDINANCE NO. 1 OF 2010

AN ORDINANCE AMENDING THE ARCHBALD BOROUGH ZONING ORDINANCE
AND ZONING MAP TO CHANGE A PORTION OF FIRST STREET IN EYNON FROM
AN R-1 ZONE TO AN R-2 ZONE

By the powers granted to the Borough of Archbald by the Pennsylvania Borough Code, 53 P.S. §45101 et seq., and by the Pennsylvania Municipalities Planning Code, 53 P.S. §10101 et seq., be it **ENACTED** and **ORDAINED** by the Borough Council of the Borough of Archbald, Lackawanna County, Pennsylvania, and it is hereby **ENACTED** and **ORDAINED** by the authority of the Archbald Borough Council as follows:

SECTION I. TITLE

This Ordinance shall be known as, "Ordinance No. 1 of 2010".

SECTION II. POLICY

Pursuant to its authority under the Pennsylvania Borough Code and the Pennsylvania Municipalities Planning Code, and for the health, safety and general welfare of the Borough of Archbald and its residents, as well as for the proper management, care and control of the Borough of Archbald and its finances and the maintenance of peace, good government, safety, welfare of the Borough and its trade, commerce and manufactures, the Archbald Borough Council enacts the within Ordinance.

Ordinance and Archbald Borough Zoning map to change that portion of First Street and Main Street in the Eynon section of Archbald Borough more specifically identified in the metes and bounds description prepared by Barrett Surveying and Mapping, dated December 14, 2009 and attached hereto and made a part hereof as Exhibit "A", from an R-1 Zone to an R-2 Zone. A copy of the Archbald Borough Zoning Map showing this area rezoned from an R-1 zone to an R-2 zone is attached hereto and made a part hereof as Exhibit "B".

SECTION VI. SEVERABILITY AND AMENDMENT

If any section, clause, provision or portion of this Ordinance shall be held invalid or unconstitutional by any court of competent jurisdiction, such decision shall not affect any other section, clause, provision or portion of this Ordinance, so long as it remains workable minus the invalid portion.

SECTION VII. REPEAL OF CONFLICTING ORDINANCES

The within Ordinance supersedes and repeals all former and/or prior Ordinance or parts thereof which conflict, or are in any way inconsistent with the provisions of this Ordinance and, to the extent that any prior or existing Ordinances of the Borough of Archbald are inconsistent with the terms of the within Ordinance, said inconsistent Ordinances, or portions thereof, are expressly hereby repealed.


SECTION VIII. EFFECTIVE DATE

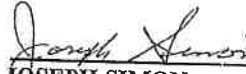
This Ordinance shall become effective at the earliest period allowed by law.

ENACTED AND ORDAINED THIS 20th DAY OF JANUARY, 2010.

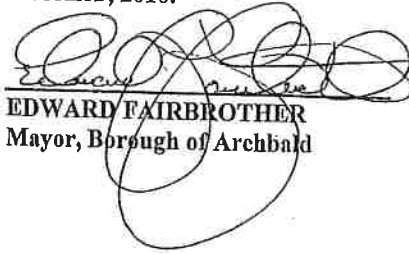
ATTEST:

**BOROUGH COUNCIL OF THE
BOROUGH OF ARCHBALD**

 (SEAL)
LEONARD HOSIE
Secretary, Borough of Archbald

By: 
JOSEPH SIMON
President, Archbald Borough Council

EXAMINED AND APPROVED THIS 20th DAY OF JANUARY, 2010.

BY: 
EDWARD FAIRBROTHER
Mayor, Borough of Archbald



**DESCRIPTION OF PROPOSED ZONING
CHANGE IN ARCHBALD, PA.**

Beginning at a point on the northwest side of 1st Street. The said point is located South (50) degrees, (00) minutes, and (00) seconds West (168.1) feet from the intersection of the northwest line of 1st Street with the southwest line of Kennedy Drive a.k.a. S.R. 1012;

thence along the northwest line of 1st Street South (50) degrees, (00) minutes, and (00) seconds West (680) feet to a point. The said point is southwest (50) feet from the southwest line of Pierce Ave.;

thence on a line (50) foot southwest of and parallel to the southwest line of Pierce Ave. South (40) degrees, (00) minutes, and (00) seconds East (200.00) feet, crossing 1st Street to the northwest line of a alley;

thence along the northwest line of the said alley South (50) degrees, (00) minutes, and (00) seconds West (290.00) feet to a point on the southeast line of, now or formerly, Allen Avenue;

thence along the southwest line of, now or formerly, Allen Avenue, South (40) degrees, (00) minutes and (00) seconds East (166.00) feet to a point on the northwest line of 2nd Street;

thence along the northwest line of 2nd Street South (50) degrees, (00) minutes, and (00) seconds West (325.00) feet to a point;

thence North (40) degrees, (00) minutes, and (00) seconds West (516.00) feet crossing the southwest end of the said alley and 1st Street to a point;

thence North (50) degrees, (00) minutes, and (00) seconds East (725.00) feet to a point on the northwest extension of the northeast line of Pierce Avenue;

thence along the northwest extension of the northeast line of Pierce Avenue North (40) degrees, (00) minutes, and (00) seconds West (190.00) feet to a point on the southeast side of Main Street;

thence along the southeast line of Main Street North (47) degrees, (43) minutes and (48) seconds East (570.42) feet to a point;

thence along the rear of lots fronting on Kennedy Drive South (40) degrees, (00) minutes; and (0) seconds East (362.60) feet to the place of beginning.

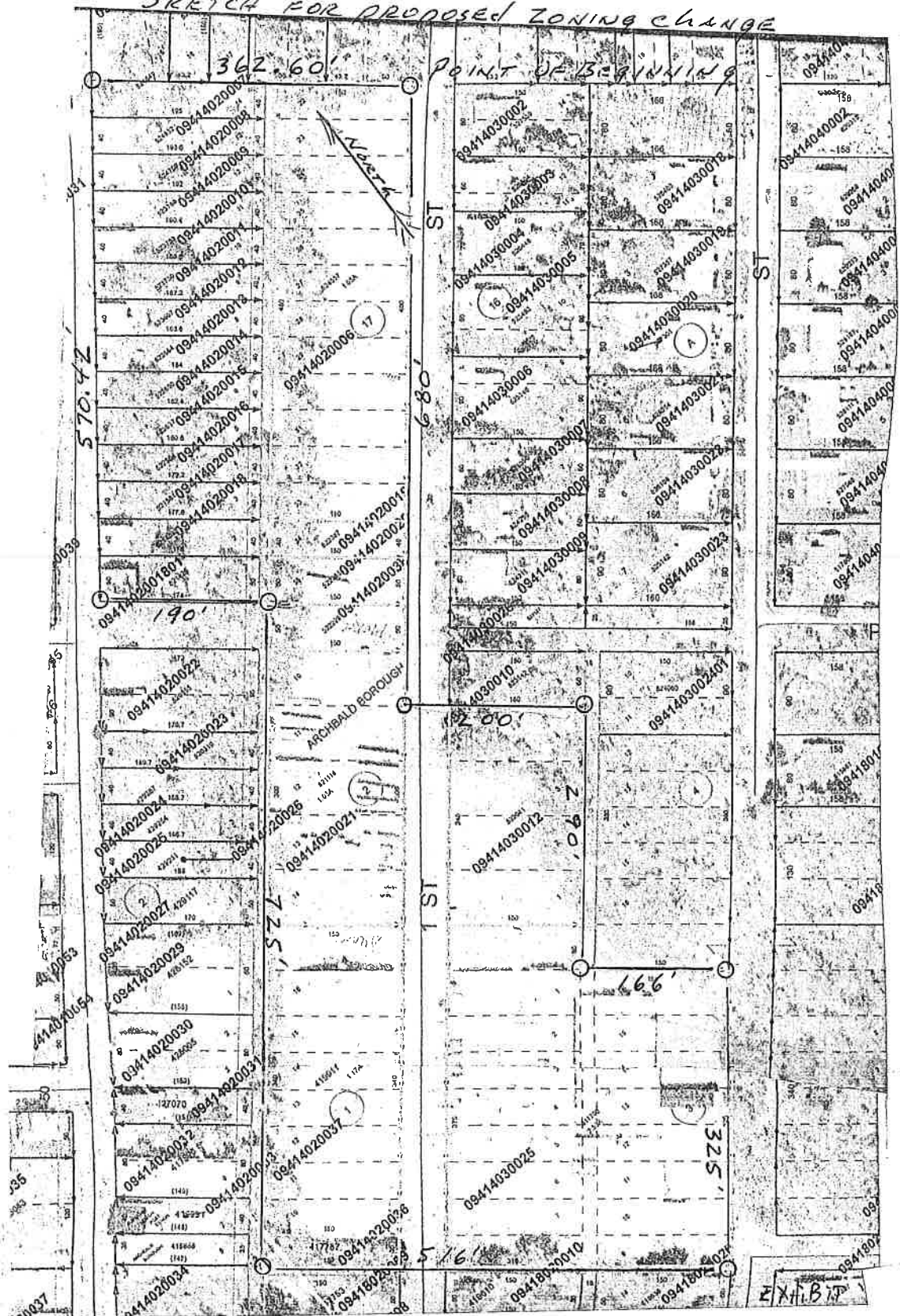
Description of proposed zoning change continued -

CONTAINING 11.156 Acres of land.

Note: The description herein is based upon maps and deeds of record only. No field survey was performed for this description.

EXHIBIT A

SKETCH FOR PROPOSED ZONING CHANGE



ARCHBALD BOROUGH
ZONING ORDINANCE AMENDMENT

ORDINANCE No. 2, 2010

SECTION I: PURPOSE

Archbald hereby amends the Archbald Borough Zoning Ordinance, as follows:

Add Article 5A Wind Farms and Windmills

5.100A Purpose

5.101A The purpose of these regulations is to enable the Borough to regulate wind farms within the Borough, to encourage the siting of wind farms in nonresidential areas, to address the safety, visual and aesthetic aspects of such facilities, and to provide for public input in the process of siting wind farms.

5.102A The Borough Council has determined that such regulation is needed to protect schools, parks, churches, playgrounds, sites, and structures; to preserve scenic areas; to minimize aesthetic impacts; to preserve the health and safety of residents; and to respect the need of wind farm developers to provide for suitable sites, while not unreasonably limiting competition among them.

5.103A The Borough Council declares that the protection of residential dwellings is of paramount importance and that any local regulations of wind farms must furnish all possible protection for residential areas and further declares that these regulations are to be interpreted to favor protection of residential dwellings. The Borough shall, before issuing a permit for any wind farms affecting a dwelling, satisfy itself that all other alternatives have been exhausted.

5.110A Location; Applicability; Exemption

5.111A Wind farms shall be permitted only as Conditional Uses in the C-4 and S-1 zones

5.112A In addition to the requirements of this Ordinance wind farms shall be subject to all other applicable local, state and federal requirements

5.113A A windmill accessory to a principal structure which is sized and intended to be used to generate electricity primarily for the principal structure to which it is accessory shall be permitted in all zones as a Special Exception on a parcel of not less than one (1) acre; provided, however, that there shall be not more than one (1) accessory windmill per principal structure/use.

5.114A On-site transmission and power lines between wind turbines shall, to the maximum extent possible, be placed underground.

5.115A No windfarm shall be permitted without evidence of the need and the viability of such a facility.

5.116A. No windmill shall be nearer to any other windmill than ten (10) feet plus the height of the hub and the length of the blade of the tallest windmill.

5.117A. No windmill shall be located within a required front yard.

5.120A Permit; Procedure; Fees; Temporary Permit

5.121A Permits: - A zoning permit as well as a building permit shall be required for every wind farm and each individual accessory windmill installed at any location in the Borough..

5.122A Procedure; Hearing - In accordance with the procedures for Conditional Uses, as provided herein, the Borough Council shall refer all such applications to the Borough Planning Commission for their review and comment, and shall conduct a hearing pursuant to public notice within forty-five (45) days after the submission of a formal, complete application, including such technical information from the applicant as may be required by this Ordinance. Accessory windmills shall be reviewed and approved by the Zoning/Hearing Board in accordance with the procedures for Special Exceptions.

1. The hearing notice shall indicate that the application may be examined and that further information is available at the Borough Secretary's office during regular business hours.
2. The Borough Council shall approve, approve with conditions, or disapprove the application under the provisions of this ordinance within sixty (60) days after a public hearing.
3. The period in which the Borough Council shall take action may be extended with the written consent of the applicant.

5.123A Planning Commission Review - Planning Commission comments, if any, shall be provided to the Borough Council within thirty (30) days of the Commission's receipt of the application.

5.124A Application Fees; Review Fees - The applicant shall pay the application fee for the wind farm and each windmill as established by resolution of the Borough Council. In addition, the applicant shall pay all professional costs incurred by the Borough for review of structural, radio frequency and other technical aspects of the proposal and shall deposit with the Borough an amount deemed adequate by the Borough Council to cover the anticipated costs. If the review costs exceed the deposit, an additional assessment shall be made. If the deposit exceeds the cost, the balance shall be returned to the applicant. No approval shall become effective until all costs have been paid by the applicant.

5.125A Temporary Permit for Site Evaluation - The Borough may issue a temporary permit for the erection of a tower and necessary equipment on a site to determine if it has adequate wind for cost-effective wind farm development. The requirements of this Ordinance shall apply to such structures; however, the Borough Council may waive those requirements which are not applicable to the temporary facility or which are not necessary to protect the public health, safety, and welfare.

5.130A Site Plan; Information Requirements; Notice; Consent

5.131A Land Development and Site Plan - A full site plan shall be required for all wind farm sites showing all information required to determine compliance with this Ordinance. New windmills and/or the construction of any equipment building or other roofed structure which have a combined gross floor area of greater than one hundred (100) square feet shall be considered a land development subject to the Borough's Subdivision and Land Development Ordinance.

5.132A Information Requirements - For all proposed wind farms, in addition to the information required by other Borough Ordinances, the following minimum information shall be provided. Items 10 through 14 shall be included in a report prepared by a registered professional engineer or other professional deemed qualified by the Borough. The Borough shall require any additional information deemed necessary to determine compliance with this Ordinance.

1. Name and address of the property owner and the applicant.
2. Address, lot and block and/or parcel number of the property.
3. Name and address of person preparing the plan.
4. Size of the property and the location of all lot lines.
5. Approximate location of nearest residential structure.
6. Approximate location of nearest occupied structure.
7. Location of all structures on the property which is the subject of the application.
8. Location, size and height of all proposed and existing antennas and all appurtenant structures on the property.
9. Type, size and location of all proposed landscaping and fences.
10. A report by a Pennsylvania registered and licensed professional engineer, documenting compliance with applicable structural standards and describing the general structural capacity of any proposed installation.
11. The number and type of windmills and other structures proposed.
12. A description of the proposed windmills and all related fixtures, structures, appurtenances and apparatus, including height above grade, materials, color and lighting.
13. A description of the noise generated by the windmills.
14. The make, model and manufacturer of any proposed windmill.
15. A visual analysis of the wind farm as seen from public viewing points in the Borough.
16. Wind speed maps
17. Maps of migratory bird routes
18. Information on the bat population in the area
19. Generator capacity of the turbines

5.133A Existing and Planned Facilities - The applicant shall provide details about the location, height and operational characteristics of all existing facilities of the applicant in and immediately adjacent to the Borough. The applicant shall also provide a five-year plan for the provision of additional facilities in and immediately adjacent to the Borough showing proposed general locations or areas in which additional facilities are planned. Subsequent applications shall confirm or modify the facility service plan, so that the Borough will be kept up to date on future activities.

5.134A Operational Compliance - Within ninety (90) days of operating any wind farm, the owner or operator shall submit to the Borough a written certification by a Pennsylvania registered and licensed professional that the wind farm complies with this ordinance and all other applicable government regulations.

5.135A Change in Ownership/Operation - If the name or address of the owner or operator of the wind farm is changed, the Borough shall be notified of the change within ninety (90) days.

5.136A Associated Uses - All other uses ancillary to the wind farm (including a business office, maintenance depot, vehicle storage, etc.) are prohibited from the wind farm site, unless otherwise permitted by Borough ordinances. This shall not prohibit the installation, as accessory structures, of equipment containers not intended for human occupancy to house only equipment necessary for the operation of the wind farm.

5.140A and 5.150A Requirements Applicable to All Wind Farms and Windmills

The following requirements shall apply to all wind farms and windmills:

5.141A Location Requirement and Number - The Applicant shall demonstrate to the satisfaction of the Borough, using technological evidence, that the wind farm and windmills must go where proposed in order to function to industry standards.

5.142A Windmill Height Design

1. a. Minimum Height - The applicant shall demonstrate that the windmills are constructed to a height no greater than the minimum required to function to industry standards. The wind farm shall comply with any applicable Airport Hazard Zoning Ordinance.
- b. Maximum Height, Accessory Units - Accessory windmills shall not exceed a height of fifty (50) feet, unless it is located on a site of ten (10) or more acres; in such case, the height may be up to 100 feet.
- c. Maximum Height, Windfarms - The maximum height shall be 200 feet.
2. Blade Height - The minimum height between any windmill blade and the ground shall not be less than thirty (30) feet.
3. Visual Impact
 - a. The applicant shall provide to the Borough graphic information that accurately portrays the visual impact of the proposed wind farm and individual windmills from various vantage points selected by the Borough, such as, but not limited to key roads and recreation areas. This graphic information may be provided in the form of photographs or computer-generated images with the windmills superimposed, as may be required by the Borough. The Borough may require the applicant to conduct a balloon test to confirm the visual impact. The Borough shall require specific colors, consistent with applicable federal regulations, to ensure that the wind farm is compatible with the surrounding landscape. Towers and blades shall be white or gray, or another non-reflective, unobtrusive color.
 - b. They shall not be placed on visually prominent ridge lines
 - c. They shall be designed and placed in such a manner as to minimize to the greatest extent feasible, adverse visual and noise impacts on neighboring areas.
 - d. They shall be equipped with air traffic warning lights and shall have prominent markings of an international orange color, on the rotor blade tips where:
 - (1) the total height of the system exceeds 175 feet, or
 - (2) the total height exceeds 125 feet and it is placed at a ground elevation of more than 200 feet.
4. Controls and Braking. All wind energy facilities shall be equipped with a redundant braking system. This includes both aerodynamic overspeed controls (including variable pitch, tip, and similar systems) and mechanical brakes. Mechanical brakes shall be operated in a fail-safe mode. Stall regulation shall not be considered a sufficient braking system for overspeed protection.
5. Climb Protection/Locks.
 - a. Wind turbines shall not be climbable up to fifteen (15) feet above ground surface.
 - b. All access doors to wind turbines and electrical equipment shall be locked or fenced, as appropriate, to prevent entry by non-authorized persons.
6. Noise and Shadow Flicker
 - a. Audible sound from a wind energy facility shall not exceed 55 dBA, as measured at the exterior of any occupied building on a non-participating landowner's property.
 - b. The facility owner and operator shall make reasonable efforts to minimize shadow flicker to any occupied building on a non-participating landowner's property.

7. Signal Interference Prior to the issuance of a building permit, the manufacturer shall provide sufficient data and documentation to establish that the installation will not cause electromagnetic interference to any abutting property. The applicant shall make reasonable efforts to avoid any disruption or loss of radio, telephone, television, or similar signals, and shall mitigate any harm caused by the wind energy facility.

5.143A Setbacks - The following minimum setbacks shall apply.

1. Separate Parcel- If the parcel on which the wind farm is located is a separate and distinct parcel, the required minimum lot size shall apply; and, in all cases, the lot shall be of such size that all required setbacks are satisfied.
2. Lease, License or Easement - If the land on which the wind farm is leased, or is used by license or easement, the setback for any windmill, the support structure, equipment containers, other accessory structures, and guy wire anchors shall be a minimum of thirty (30) feet from the line of lease, license or easement. In any case, the setback of such a windmill, including the blades, shall be as set forth 5.143A 4, hereof.
3. Setbacks from Occupied Buildings
 - a. Wind turbines shall be set back from the nearest occupied building a distance not less than the required setback for the zone district, or 1.1 times the turbine height, whichever is greater. The setback distance shall be measured from the center of the wind turbine base to the nearest point on the foundation of the occupied building.
 - b. Wind turbines shall be set back from the nearest occupied building located on a non-participating landowner's property a distance of not less than five (5) times the Hub height, as measured from the center of the wind turbine base to the nearest point on the foundation of the occupied building.
4. Setback From Property Lines. All wind turbines shall be set back from the nearest property line a distance of not less than the normal setback requirement of the zone where it is located or 1.1 times the turbine height, whichever is greater, as measured to the center of the wind turbine base.
5. Guy Wires Anchor points for guy wires shall be located within property lines, a distance of not less than ten (10) feet, and not on or across any above ground transmission or distribution lines.
6. Contiguous Properties Contiguous property owners may construct a facility for use in common provided that the required setback is maintained relative to the property lines of non-participating owners.

5.144A Access: Travel Route: Road Bond

1. Access to the wind farm shall be provided by means of a public street or easement to a public street. All access easements shall be a minimum of twenty (20) feet in width and shall be improved to a width of at least ten (10) feet with a durable, dust-free, all weather surface. No access easement shall exceed a grade of fifteen (15) percent.
2. The applicant shall provide a route of travel plan detailing which roads through the Borough will be used to access the wind farm during construction and for any maintenance activities requiring the use of heavy trucks.
3. The Borough shall require a bond, letter of credit or other financial guarantee to ensure that any damage to Borough roads caused by the construction or operation of the wind farm is repaired at the cost of the person causing such damage. The amount of the bond shall be based on the extent of the operation, the Borough roads used by the operation and the recommendation of the Borough Engineer, and the term and form of the bond shall be approved by the Borough Solicitor.

5.145A Parking: - If the wind farm site is fully automated, adequate parking shall be required for maintenance workers. If the site is not automated, the number of required parking spaces shall be equal to the number of people on the largest shift.

5.146A Structure Safety - The applicant shall demonstrate that the proposed windmills are safe and the surrounding areas will not be negatively affected by structure failure, falling ice or other debris, electromagnetic fields, or radio frequency interference. All windmills shall be designed and installed to withstand natural lightning strikes. All windmills shall be fitted with anti-climbing devices, as approved by manufacturers. The applicant shall submit certification from a Pennsylvania Registered Professional Engineer that all windmills will be designed and constructed in accord with accepted engineering practices and all requirements of any applicable construction code. Within forty-five (45) days of initial operation, the owner and/or operator of the wind farm shall provide a certification from a Pennsylvania Registered Professional Engineer that the wind farm and all structures comply with all applicable regulations.

5.147A Wind Farm as a Second Principal Use - A wind farm shall be permitted on a property with an existing use subject to the following standards:

1. The minimum lot area, minimum setbacks and maximum height required by this Ordinance for the wind farm and support structure shall apply; and, the land remaining for accommodation of the existing principal use(s) on the lot shall also continue to comply with the minimum lot area, density and other requirements.
2. The vehicular access to the wind farm shall, whenever feasible, be provided along the circulation driveways of the existing use.
3. The applicant shall present documentation that the owner of the property has granted an easement filed of record or other legal interest for the land for the proposed facility and that vehicular access is provided to the facility.

5.148A Licenses; Other Regulations - The applicant shall demonstrate that the required permits and licenses from the Federal Energy Regulatory Commission, the Pennsylvania Department of Environmental Protection, the Pennsylvania Public Utility Commission, and other agencies have been obtained. The structure shall comply with the Uniform Construction Code. The applicant shall also document compliance with all applicable state and federal regulations by providing to the Borough with copies of all required documents, studies, and responses (e.g., National Environmental Policy Act, Pennsylvania Natural Diversity Index submission, Pennsylvania Historical and Museum Commission compliance.)

5.149A Insurance - The applicant shall submit a Certificate of Insurance evidencing general liability coverage in the minimum amount of \$2,000,000 per occurrence and property damage coverage in the minimum amount of \$2,000,000 per occurrence covering the wind farm and all its facilities. The applicant shall provide the Borough with proof of annual renewal prior to expiration.

5.150A Discontinued Use

1. The Permit application shall include a Decommissioning Plan to ensure that the project is properly decommissioned upon facility abandonment, if it is non-functional or inoperative for a continuous period of one (1) year. At a minimum, the plan shall include: (1) Provision for the removal of all structures, debris, and above ground cabling within ninety (90) days after Facility Abandonment; and, (2) Provisions for the restoration of the soil and vegetation within 270 days after facility Abandonment. If the use of any wind farm and/or windmill is discontinued, the owner or operator or then owner of the land on which the wind farm and/or windmill is located shall be required to remove the same within ninety (90) days from the abandonment of use. Failure to do so shall authorize the Borough to remove the facility, including foundations to a minimum of four (4) feet below grade, and assess the cost of removal to the foregoing parties. In addition, at the time of permit issuance for any wind farm the Borough shall require a financial guarantee, in a term, form and amount determined by the Borough Council with the advice of their Solicitor, to guarantee the removal of the wind farm and/or windmill. If such guarantee is inadequate, the Borough shall be authorized to use all means provided in law, including a municipal lien, to recover all costs of removal.
2. The applicant, or successors, shall continually maintain a fund payable to the Borough for the removal of non-functioning towers and appurtenant facilities in an amount to be determined by the Borough Engineer for the period of the use permit. This fund may be in the form of a certificate of deposit in a Commonwealth of Pennsylvania financial institution. Interest earned on said certificate of deposit shall be paid to the applicant, or its successors, but the term of the certificate shall require that it remain on deposit during the period of the Use Permit.

5.151A Vibration - No vibration associated with the operation of the wind farm 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.

5.152A Signs; Lighting; FAA and P A DOT Notice

1. Each tower must have a sign posted at the base of the tower that specifies the following information: warning high voltage, manufacturer's name, emergency shut-down procedures, and emergency phone numbers. No permitted sign may exceed three (3) sq. ft. in area. Signs other than warning signs, equipment labels, emergency information or owner identification are prohibited.
2. No lights shall be mounted on any windmill except as may be required by this Ordinance, the Federal Aviation Administration, or other governmental agency which has jurisdiction.
3. No windmill shall be artificially lighted, except as required by the Federal Aviation Administration or for security purposes approved as part of the zoning permit. No approved security light source shall be exposed to the eye except those covered by globes or diffusers so that the lights are fully shielded to project the light below the horizontal plane of the lowest point of the fixture. Other lighting shall be indirect or surrounded by a shade to hide visibility of the light source. No direct or sky-reflected glare, whether from overhead lighting or floodlights shall be permitted.

4. The applicant shall provide a copy of the response to *Notice of Proposed Construction or Alteration* forms submitted to the FAA and PA DOT Bureau of Aviation; and, the wind farm and support structure shall comply with all FAA and P A DOT requirements.

5.153A Landscaping

1. Existing vegetation on and around the site shall be preserved to the greatest extent possible.
2. Landscaping installation and maintenance may be required to screen as much of the windmills as possible, the fence surrounding the support structure, any other ground level features (such as a building), and, in general, buffer the windmills and other structures from neighboring properties and the sight lines from prominent viewing locations.
3. The Borough Council may permit any combination of existing vegetation, topography, walls, decorative fences or other features instead of landscaping, if they achieve the same degree of screening as the required landscaping.

5.154A Soil Erosion and Sedimentation Control; Stormwater Management - All earth disturbance shall comply with the soil erosion and sedimentation control requirements of the Lackawanna County Conservation District and the Pennsylvania Department of Environmental Protection; and, no approval shall be granted under this ordinance until the Applicant provides a copy of the approved soil erosion and sedimentation control plan and any required permits. A stormwater control plan and storm water management facilities shall be provided in accord with the Borough's stormwater management requirements.

5.155A Emergency Services Plan - The applicant shall provide an emergency services plan, covering such services as fire, rescue, and medical emergencies, etc. At a minimum, the plan shall include details about any fire suppression system proposed for any windmill or structure. The plan shall be provided to the applicable fire company for review and comment, and it shall be subject to approval by the Borough Council before any permits are issued by the Borough.

5.156A Maintenance: Identification: Notice of Problems - Wind farm maintenance and continued compliance with this Ordinance shall be monitored by the Borough Zoning Officer. There shall be affixed to the windmill or security fence in an accessible, visible place the name and mailing address of the owner(s) and a 24-hour emergency telephone number. This information shall be kept current by the owner(s). The Zoning Officer shall inform the owner(s) of any safety problems, maintenance problems or any matter relative to the wind farm in accordance with the enforcement requirements of this Ordinance, sent to the posted address. If the problem outlined in the letter from the Zoning Officer is not resolved within thirty (30) days of receipt of notice, or within such other period as allowed in writing by the Enforcement Officer, this shall constitute a violation of the Ordinance. An unresolved violation shall constitute grounds for revoking the windmill permit.

5.157A Mitigation Plan. The Applicant shall provide, for approval of the Borough, a plan for how complaints about noise, communications interference and vibration will be addressed by the operator of the wind farm

5.158A Co-location. No television, radio, or other communication antenna may be affixed or otherwise made part of a tower.

5.159 A. Violations/Complaints

1. Upon the complaint of an abutting property owner contending that the facility is in violation of the performance standards set forth herein, the Zoning officer shall secure the services of an appropriate expert to undertake measurements to determine if a violation exists. If it is found to be in violation, the fee shall be paid by the owner of the facility; but, if it is found to be in compliance, the fee shall be paid by the complainant.
2. Abatement of Violations If it is found that a violation exists, it shall be abated in accordance with the applicable provisions of this zoning ordinance.

5.160A. Maintenance Every two (2) years the owner shall submit to the Zoning Officer a structural report attesting to the structural integrity of the wind generator, the tower, and/or the support system.

5.161 A. Inspection The Building Inspector and/or the Borough Engineer shall have the right at any reasonable time to enter, in the company of the owner or his agent, the premises on which the system has been constructed to inspect all parts of said system and require that repairs or alterations be made if, in his judgment, there exists a deficiency in the operation or in the structural stability of the system. If necessary, the Building Inspector or the Borough Engineer may order the system secured or otherwise cease its operation. It shall not be required that the owner or his agent be present in the event of an emergency situation involving danger to life, limb, or property.

Article 11 Definitions

Add: Hub Height

The distance measured from the surface of the tower foundation to the height of the wind turbine hub to which the blade is attached.

Add: Turbine Height

The distance measured from the surface of the tower foundation to the highest point of the turbine rotor plane

Add Wind Farm

A facility where two (2) or more windmills are located and are used for the generation of electricity which is used on-site for commercial purposes or which is sold on the open market. A windmill accessory to a principal structure which is sized and intended to be used to generate electricity primarily for the principal structure to which it is accessory shall not be considered a wind farm. In addition, a windmill on a separate lot, or on a leased site that is not on the same lot as the principal structure that it is serving shall also be considered to be an accessory windmill, provided that it does not include more than one (1) windmill.

Add: Windmill

A machine that operates on the energy generated by a series of blades or slats rotated by the wind.

Add: Windmill, Accessory

A windmill that serves as an accessory source of energy to a principal use. Not more than one (1) windmill shall be permitted as an accessory windmill on any property.

Add: Windmill Height

The vertical distance measured from the base of the support structure at grade to the highest point of the structure, including blades. If the support structure is on a sloped grade, then the average between the highest and lowest grades shall be used in calculating the height.

SECTION II: SEVERABILITY AND REPEALER

- a. Should any section, clause or provision of this Ordinance be declared by the courts to be invalid, the same shall not affect the validity of the Ordinance as a whole or the parts thereof, other than the part so declared to be invalid.
- b. All ordinances or parts of ordinances inconsistent herewith are hereby repealed.


SECTION III: EFFECTIVE DATE

This Ordinance shall take effect at the earliest period allowed by law.

Duly presented and adopted at a regular meeting of the Borough Council of the Borough of Archbald, Pennsylvania held on this 19th day of May, 2010

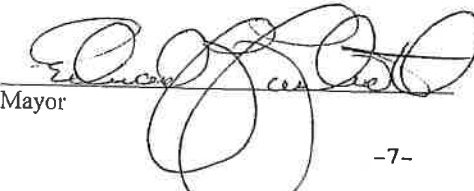
ATTEST:

BY _____


Borough Secretary


President of Council

APPROVED THIS 19th day of May, 2010.


Mayor

ARCHBALD BOROUGH
ZONING ORDINANCE AMENDMENT

ORDINANCE No. 4, 2010

SECTION I: PURPOSE

Archbald hereby amends the Archbald Borough Zoning Ordinance, as follows:

Add Article 5 Supplementary Regulations

5.964 Signs

f. **Political signs.** Such signs shall not be erected more than forty-five (45) days prior to the election or referendum concerned and shall be removed seven (7) days following such election or referendum. Political signs may be placed only on private property and only with the permission of the property owner, and shall not exceed thirty-two (32) square feet in sign area. No deposit is required for political signs.

g. Renumber the remaining section consecutively.

Add Article 6 Performance Standards

6.240 Sign Standards

a. **Right-of-Way Restrictions.** No sign other than an official traffic sign or similar sign shall be erected within nor overhang the right-of-way of any road unless specifically authorized by other ordinances or regulations of the municipality.

b. **Clear View.** No sign or sign structure shall be erected at the intersection of any street in such a manner as to obstruct free and clear vision, nor at any location whereby reason of position, shape or color, it may interfere with or obstruct the view of or be confused with any authorized traffic sign, signal, or device.

c. **Sign Maintenance.** Every sign permitted by this Ordinance must be constructed of durable materials and kept in good condition and repair. When any sign becomes insecure, in danger of falling or is otherwise unsafe or if any sign shall be unlawfully installed, erected or maintained in violation of any of the provisions of this Ordinance, the owner thereof or the person or firm maintaining same shall, upon written notice by the Zoning Administrator, forthwith in the case of immediate danger and in any case within not more than ten (10) days, make such sign conform to the provisions of this Ordinance or shall remove it. If within ten (10) days the order is not complied with, the Zoning Administrator may remove or cause to be removed such sign at the expense of the owner or lessee.

Add Article 9 Administration and Enforcement

9.540 REMOVAL OF SIGNS BY THE ZONING ADMINISTRATOR

The Zoning Administrator may cause the removal of an illegal sign in cases of emergency or failure to comply with the written orders of removal or repair. After removal or demolition of the sign, a notice shall be conveyed by registered mail or in person to the sign owner stating the nature of the work and the date on which it was performed and requesting payment of the costs as certified by the Zoning Administrator together with inspection and incidental costs.

The owner of the property upon which the sign is located shall be presumed to be the owner of all signs thereon unless facts to the contrary are brought to the attention of the Zoning Administrator, as in the case of a leased sign or a ground lease for an off-premise sign.

For purposes of removal, the definition of a sign shall include all sign embellishments and structures designed specifically to support the sign.

Article 11 Definitions

Add: Sign, Political

For the purposes of this Ordinance, a temporary sign used in connection with a local, state, or national election or referendum.

Add: Sign, Temporary

A sign which is intended to advertise community or civic projects, construction projects, real estate for sale or lease, political activity or other special community, business, or commercial events. Such signs may be displayed for a specified period of time only as prescribed by this code. Portable or vehicular signs or any sign not permanently embedded in the ground, or permanently affixed to a building structure or sign structure which is permanently embedded in the ground, are temporary signs.

SECTION II: SEVERABILITY AND REPEALER

- a. Should any section, clause or provision of this Ordinance be declared by the courts to be invalid, the same shall not affect the validity of the Ordinance as a whole or the parts thereof, other than the part so declared to be invalid.
- b. All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

SECTION III: EFFECTIVE DATE

This Ordinance shall take effect at the earliest period allowed by law.

Duly presented and adopted at a regular meeting of the Borough Council of the Borough of Archbald, Pennsylvania held on this 16th day of July, 2010.

ATTEST:

BY

Leonard E. Hume
Borough Secretary

Jack Shiner
President of Council

APPROVED THIS 19th day of July, 2010.

[Signature]
Mayor

ARCHBALD BOROUGH
ZONING ORDINANCE AMENDMENT

ORDINANCE 1-2012 2012

SECTION I: PURPOSE

The purpose of this amendment is to amend the zoning map of the Archbald Borough Zoning ordinance.

The subject zoning map is hereby amended, as follow: Rezone the following area from I-1 (Light Industrial) to C-1 (Neighborhood Commercial) an area of approximately 14 acres between the Eynon-Jermyn Road and Washington Avenue including parcels No. 00802010003; 8020101000401; 08020100004; 08020100008; 0802010000801; 0802010000802; 0802010000803; and 0802010000804.

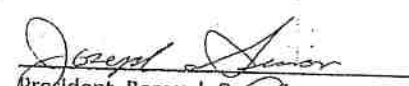
SECTION II: SEVERABILITY AND REPEALER SECTION III: EFFECTIVE DATE

- A. Should any element of this amendment be declared by the courts to be invalid, the same shall not affect the validity of the Archbald Zoning Ordinances as a whole or the parts thereof, other than the part so declared to be invalid.
- B. All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

SECTION III: EFFECTIVE DATE

This Ordinance shall take effect at the earliest period allowed by law.

Duly presented and adopted at a regular meeting of the Borough Council of the Borough of Archbald, Pennsylvania held on this 18th day of January, 2012.


President, Borough Council


Mayor

ATTEST:


Secretary

Approved this 18th day of January, 2012


Mayor

ARCHBALD BOROUGH
ZONING ORDINANCE AMENDMENT

ORDINANCE 3-2013

SECTION I: PURPOSE

The purpose of this amendment is to amend the zoning map of the Archbald Borough Zoning Ordinance.

The following properties are to be rezoned from C-2 (Highway Commercial) to R-2 (Medium Density Residential): 1. Proposed Lot No. A2 as proposed on map titled "Proposed Subdivision of lands of D&L Realty Company (D.K 1393/pg.592) Archbald and Jermyn Borough, Lack. Co., Pa."; 2. Parcel assessment no. 73.04-1-5; 3. Parcel assessment no. 73.04-1-6; 4. Parcel assessment no. 73.04-1-2 including that portion of said parcel situated in the Borough of Archbald

SECTION II: SEVERABILITY AND REPEALER SECTION III; EFFECTIVE DATE

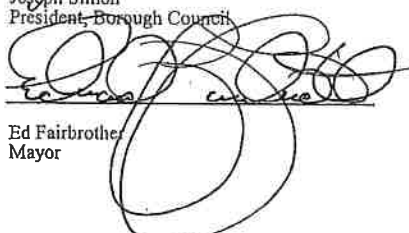
- A. Should any element of this amendment be declared by the courts to be invalid, the same shall not affect the validity of the Archbald Zoning Ordinance in whole or the parts thereof, other than the part so declared to be invalid.
- B. All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

SECTION III: EFFECTIVE DATE


This Ordinance shall take effect at the earliest period allowed by law.

Duly presented and adopted at a regular meeting of the Borough Council of the Borough of Archbald, Pennsylvania held on this 10th day of July 2013.


Joseph Simon
President, Borough Council


Ed Fairbrother
Mayor

ATTEST:

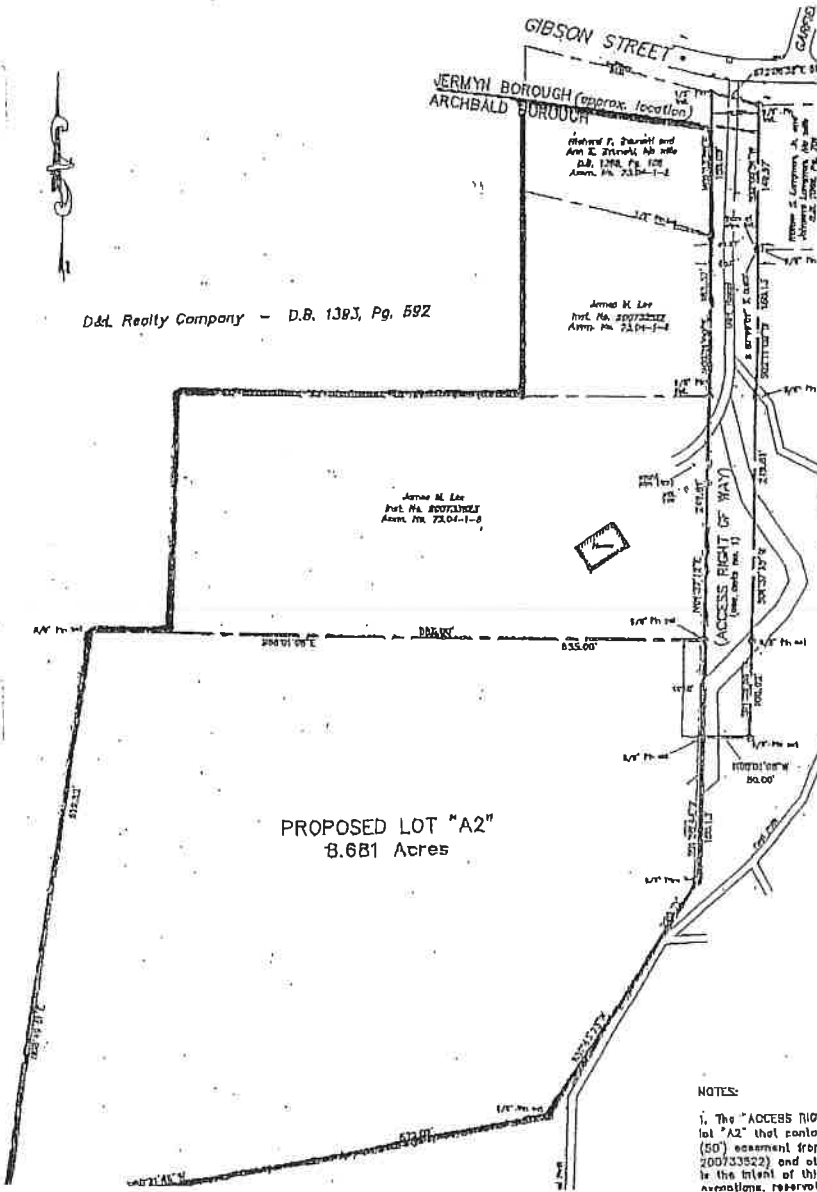

Dawn Rudalavage
Borough Secretary

Approved this 10th day of July 2013

3-2013

BOROUGH OF ARCHBALD, PA

PROPERTIES PROPOSED TO BE
RE-ZONED FROM C-2 TO R-2



D&L Realty Company - D.B. 1383, Pg. 592

BOROUGH OF ARCHBALD
AMENDMENTS TO THE ZONING ORDINANCE

ORDINANCE NO. / 2016

SECTION 1. PURPOSE. To amend the current Archbald Borough Zoning Ordinance and Zoning Map in accordance with the attached map, entitled, Archbald Borough Zoning Map, and, as follows:

SECTION 2. ZONING MAP AMENDMENT

1. Amend the zoning map to designate an I-3 zone district. Said I-3 zone district shall be located in the area shown on the attached map and as described in the attached boundary description.

SECTION 3. ZONING ORDINANCE AMENDMENTS

The following amendments to the text of the ordinance:

1. Article 2, Section 2.100, add I-3, Heavy Industrial/Manufacturing
2. Article 2, Section 2.400, revise schedule of degree of restrictiveness, by adding I-3, as follows:
R-1, R-2, R-C, C-1, IAC, C-2, S-1, C-3, I-1, I-3, I-2, and C-4.
3. Article 3, Table No. 1, Land Use Classifications.
 - a. Manufacturing and other uses
 - 1) Add I-3 column
 - 2) Include all I-2 uses in the I-3 column
 - 3) Add the following as conditional uses in the I-3 zone
 - a) Electric power generating plant
 - b) Natural gas distribution center/hub
 - b. Residential and other uses. Add golf courses as a Special Exception in large scale developments within an R-2 zone.
4. Article 3, Table No. 2A.
 - a. Add I-3 zone in same column as I-1 and I-2
 - b. Add: footnote (d) the maximum building height in the I-3 zone shall be 120 feet in accordance with the provisions of section 5.551 3) hereof.
5. a. Add: Section 5.490, golf courses in large scale residential developments. Golf courses in large scale residential developments shall be permitted only as Special Exceptions subject to review by the Archbald Borough Planning Commission as a land development.
5. b. 5.491 Procedure. A site plan shall be submitted to the Archbald Borough Planning Commission, and the Planning Commission and the Borough Engineer

shall approve the site plan prior to the issuance of a zoning permit for the golf course.

5. c. 5.492 Design Criteria. the golf course and any of its appurtenant amenities and facilities such as a club house, and related commercial activities, such as a restaurant shall be designed in such a manner that lighting, traffic, parking, fairways, etc. shall not interfere with the privacy and general residential enjoyment of the residential development to which it is appurtenant.

6. Article 5, Section 5.550, add:

The following uses shall be permitted only as conditional uses subject to the following regulations in addition to all other applicable regulations specified herein:

a. Section 5.551. Electric Power Generating Plant

- 1) Such uses shall comply with all applicable requirements of sections 5.311 and 5.331 hereof.
- 2) Fuel Source. The fuel source for a power generating plant in the Borough of Archbald shall be natural gas or another fuel with similar characteristics as shall be determined by the Borough Engineer.
- 3) Building Height. No structure, including all appurtenant facilities such as smoke stacks, ventilation towers and the like, may be erected to a height of not more than one hundred and twenty (120) feet; provided, however, that the interior of the structure shall not support occupancy of any kind at a height in excess of eighty (80) feet above ground level, except as may be required for access for maintenance and repairs.
- 4) Setback Requirements. All structures exceeding a height of forty (40) feet or more above ground level shall be located within an unoccupied fall zone with a clear area having a radius equal to the height of said structure ; provided, however, that said requirement shall not apply to accessory structures related to the principal use on the same zone lot as the principal use; and, provided further that no such structure shall be nearer to any property line or public right-of- way line than the height of the structure.
- 5) Environmental Assessment
All such uses shall be subject to the environmental review procedures and other requirements set forth in section 5.340 hereof; provided, however, that federal and state standards preempt local standards set forth herein.

b. Section 5.552. Natural Gas Distribution Center/Hub

- 1) Environmental Assessment All such uses shall be subject to the environmental review procedures and other requirements set forth in section 5.340 hereof if it is developed by any entity other than the Borough of Archbald.
- 2) Setback Requirements No above ground structures shall be nearer to any residential property line than fifty (50) feet.

SECTION 4. SEVERABILITY AND REPEALER

- a. Should any section, clause or provision of this Ordinance be declared by the courts to be invalid, the same shall not affect the validity of the Ordinance as a whole or the parts thereof, other than the part so declared to be invalid.
- b. All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

SECTION 5. EFFECTIVE DATE

This ordinance shall take effect at the earliest date allowed by law.

ENACTED AND ORDAINED this 13th day of July, 2016.

BOROUGH COUNCIL OF THE
BOROUGH OF ARCHBALD

By:



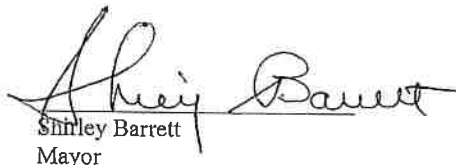
Randy Grandinetti
President of Council

ATTEST:



Dawn Rudalavage
Borough Secretary

APPROVED this 13th day of July, 2016



Shirley Barrett
Mayor

BOROUGH OF ARCHBALDLACKAWANNA COUNTY, PA.

PROPOSED ZONING MAP AMENDMENT

BOUNDARY DESCRIPTION

Proposal to rezone the following area from I-2 Heavy Industrial zone to I-3, Heavy Industrial/Manufacturing zone:

Beginning at a corner on the westerly property line of Lot #36 of the Valley View Business Park Phase II (VVBPI) and the easterly property line of Lot #10 of the PEI Power Park (PEI PP), being also the division between Jessup Borough and Archbald Borough. Said point being located North thirty nine degrees, forty eight minutes, forty eight seconds East (N 39° 48' 48" E) ninety two and twenty six hundredths feet (92.26') from the corner of Lot #36 and the Valley View Drive Right of Way.

Thence from the beginning and through parts of Lot #36, Lot #22, the Archbald Heights Road Right of Way, along Lot #26, Lot #27, through the Olyphant Reservoir #3 Lot, along Lot #28 and the Conservation Area Lot; South forty nine degrees, fifty five minutes, thirty one

seconds East (S 49° 55' 31" E) three thousand one hundred sixteen and eighty three hundredths feet (3,116.83') to the corner of Lot #28 and the Conservation Area Lot. Said point also being common to Jessup Borough, Archbald Borough and Jefferson Township.

Thence along the easterly property lines of Lot #28, Lot #29, Lot #30 and Lot #31 and lands of PG Energy; North forty degrees, seven minutes, thirteen seconds East (N 40° 07' 13" E) five thousand nine hundred ninety eight and eighty seven hundredths feet (5,998.87') to the corner of Lot #31, lands of PG Energy and lands of the Commonwealth of Pennsylvania.

Thence along the easterly property lines of Lot #31, Lot #32 and lands of the Commonwealth of Pennsylvania; North forty nine degrees, fifty six minutes West (N 49° 56' 00" W) three thousand one hundred forty eight and ninety five hundredths feet (3,148.95') to the corner of Lot #32, Lands of the Commonwealth of Pennsylvania and Lot #9 of the PEI PP.

Thence along the westerly property line of Lot #32 and Lot #9 of the PEI PP; South thirty nine degrees, forty eight minutes, forty eight seconds West (S 39° 48' 48" W) one thousand twenty three and eighty eight hundredths feet (1,023.88') to the corner of Lot #32, Lot #9 of the PEI PP and the lot for the Laurel Run Reservoir.

Thence along the property line of Lot #32, Lot #33 and lot for the Laurel Run Reservoir the following three courses and distances:

North eighty two degrees, forty eight minutes, six seconds East (N 82° 48' 06" E) one hundred sixty seven and eighty one hundredths feet (167.81') to a corner;

South thirty nine degrees, forty eight minutes, forty eight seconds West (S 39° 48' 48" W) three hundred eighty three and ninety three hundredths feet (383.93') to a corner;

South eighty two degrees, forty eight minutes, six seconds West (S 82° 48' 06" W) one hundred sixty seven and eighty one hundredths feet (167.81') to the corner of Lot #33, Lot #10 PEI PP and lot for the Laurel Run Reservoir

Thence along the westerly property line of Lot #33, Lot #34, Lot #36, and Lot #10 of the PEI PP; South thirty nine degrees, forty eight minutes, forty eight seconds West (S 39° 48' 48" W) four thousand five hundred ninety and sixty nine hundredths feet (4,590.69') to the point of beginning.

Being an area of 430.4 Acres to be changed from I-2 Zone to I-3 Zone.

A copy of the Zoning Map Amendment is attached hereto as Exhibit A, incorporated herein by reference and made a part hereof.

Prepared By:
Marvin A. Brubaker Consulting Services
& the Leshawanna County Regional
Planning Commission