

UPPER MERION TOWNSHIP BOARD OF SUPERVISORS
ZONING WORKSHOP MEETING
JULY 11, 2024

The Board of Supervisors of Upper Merion Township met for a Zoning Workshop Meeting on Thursday, July 11, 2024, in the Township Building. The meeting was called to order at 6:21 p.m., followed by a pledge of allegiance.

ROLL CALL:

Supervisors present were: Bill Jenaway, Greg Waks, Greg Philips, Carole Kenney and Tina Garzillo. Also present were Anthony Hamaday, Township Manager; Amanda Lafty, Assistant Township Manager; Jarrett Lash, Township Planner; John Walko and Kalie Melchior, Township Solicitor's Office.

CHAIRPERSON'S COMMENTS:

Chairperson Garzillo said the Board will have an Executive meeting tonight following their Workshop meeting.

DISCUSSIONS:

A. PROPOSED ZONING ORDINANCE – Data Centers:

Mr. Jarrett Lash stated back in March of this year the Board discussed Data Centers in Upper Merion Township which as of now falls under the definition for Warehouses. The Board wants to craft an ordinance for direction or guidance on where Data Centers can be permitted within the Township due to noise that is emitted from a Data Center.

Next, Jarrett read the definition of a Data Center which is an establishment engaging in storage management processing transmission of digital data, housing computer and network equipment, systems, servers, appliances and other associated components related to digital data operation. A second definition is acoustical barrier as an exterior solid removable wall containing soundproofing materials designed to absorb noise and protect neighboring properties from noise pollution. It defines the parking for data centers as one car per five thousand square feet area, recognizing that very few people work in data centers since there is only a need for a few people to monitor the center. With that said, the Planning Commission recommended that the Township should break down the office space from the data center space to decrease the required parking spaces. The Planning Commission suggests the data center should yield one space per ten thousand square feet for the actual data center area and four

spaces per one thousand square feet for the Office space area which is in line with the standard leasable office space requirements in the Township.

The Planning Commission also suggest that Data Centers are permitted by Conditional Use and there are four (4) conditions outlined for that within the Zoning District.

- 1) The principle building façade should avoid the use of undifferentiated surfaces by including at least two of the following design elements, change in building height, building setback or recesses, fenestration, changes in building materials, patterns, texture, color, use of accent material etc....
- 2) There should be full visual screening coverage of the data centers mechanical equipment, like generators and air-conditioners. They shouldn't be visible at ground level from all existing and plan public roads and adjoining parcels, either by using enhanced landscaping, lattice, cladding or combination of these methods.
- 3) The site should provide an acoustical barrier for all mechanical equipment, whether on top of the roof, ground level or elsewhere on the property. The equipment must be screened on all sides by an acoustical barrier. For residential areas it should not exceed 50 decibels at the parcel line and for commercial areas it should not exceed 62 decibels.
- 4) The applicant must agree to a preconstruction and post construction noise study to ensure that the conditions under the third condition are sufficiently meant once this is in creation.

After the Planning Commission reviewed where Data Centers can be permitted in heavy industrial, limited industrial and suburban metropolitan one areas they recommend data centers should only be permitted in limited (LI) and heavy (HI) industrial areas. Their reasoning is that this type of business would create a dead zone in an otherwise mixed-use area, saying since it's such a big place with hardly any employees there won't be any interaction with the surrounding development and it can cutoff the circulation or flow of that community.

The final item which is an addition to the exception section, outlines the parameters for when they test their diesel backup generators. The backup generators are allowed to exceed the noise ratings only during normal working times between 9 am to 5 pm.

Then, Jarrett asked the Board if they want to include any restrictions for the overall size data centers can be from a footprint perspective or if the underline permitted size for that zoning district should be the permitted for these buildings. Supervisor Philips asked if there were any fire safety issues that a larger data center can present in which the Township couldn't address.

Vice-chair Jenaway said that data centers have become sophisticated now and most of all of them will be insured by four or five companies and they all use the same criteria for sprinkler protection, ventilation systems, etc. He said they should look into the height because the higher the building is the more challenging the sprinkler protection becomes and the smoke will inundate everything which will destroy all the equipment, so there needs to also have good ventilation. He mentioned by not having high buildings would be more successful in containing an incident and suggested the building should be under fifty (50) ft. high.

In addition, Vice-chair Jenaway said the building should be no larger than 100 to 125 square feet. These smaller buildings can be clustered together (like 3 to 5 buildings) and even connected as long as they have barrier walls between them.

Supervisor Philips mentioned about setting the building back with landscaping for aesthetics. Next, Supervisor Waks mentioned that most likely there will be a sound barrier around the site which would compromise what can be seen and if so maybe the barrier wall can have a mural painted on it. He feels a mural would be more pleasing to look at instead of an architectural wall.

Then Supervisor Waks asked what the green space requirement in the LI and HI districts are? Mr. Jarrett Lash said 15% next Supervisor Waks asked if the percentage can be expanded since the parking area will be much smaller? The Board like that idea and finally Supervisor Waks asked if there should be a distance requirement between LI and HI districts to Residential areas?

The Board liked the idea for the greenspace and Mr. Hamaday said that shouldn't be a problem to convert the difference between the unused parking area to green space. Mr. Walko mentioned if the building was later sold and use for something else and needed the parking spaces back would the Township allow it?

After a long discussion Jarrett went over everything that he will look into and get back to the Board.

- 1) Looking at the green space requirement design for a warehouse and/or a data center.
- 2) Looking at a residential buffer between a data center and the homes.
- 3) Reinstating the 50 ft. limit in height for data centers.
- 4) Potentially adding Murals as one of the designs elements.
- 5) Changing the amount of building design features to four (4).

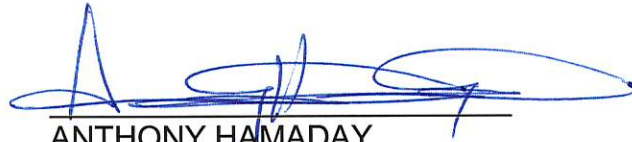
Chairperson Garzillo asked if we can or should put a limit on companies that already have Server Centers or rooms within their building that are not in zoning district LI and HI, like Verizon has?

Public Comments: None

ADJOURNMENT:

Board Action:

It was moved by Supervisor Waks, seconded by Vice-chair Jenaway, all voting "Aye" to adjourn the meeting. None opposed. Motion passed 5-0. Adjournment occurred at 6:57 pm.



ANTHONY HAMADAY
TOWNSHIP MANAGER

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Minutes Approved:
Minutes Entered: