

UPPER MERION TOWNSHIP BOARD OF SUPERVISORS  
ZONING WORKSHOP MEETING  
SEPTEMBER 5, 2024

The Board of Supervisors of Upper Merion Township met for a Zoning Workshop Meeting on Thursday, August 1, 2024, in the Township Building. The meeting was called to order at 6:18 p.m., followed by a pledge of allegiance.

ROLL CALL:

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

CHAIRPERSON'S COMMENTS: None

DISCUSSIONS:

A. PROPOSED ZONING TEXT AMENDMENT – Data Centers:

The discussion tonight began with a proposed Zoning Text Amendment regarding Data Centers in the township. Chairperson Garzillo wants to clarify where Data Centers will be permissible if this ordinance is enacted. She said currently it's defined to zoning areas LI and HI and she wants confirmation it will be limited to those areas. She also mentioned about adding some language to the definition of Data Centers under section 165-5 definitions; what is the tipping point or threshold for constituting a data center from other establishments having a data center within their facility. In addition to section 165, she talks about the undifferentiated surfaces, that you need to have at least two design elements under 165 C page 2 and there's a list from A to F. She said under F states architecture features are determined satisfactory to the BOS, she asked if it means A to E and F is separate or is F one of the criteria for determining that.

Supervisor Phillips said it should be three or more architecture features, you can change the building setback but it still looks like a box. Vice-chair Jenaway asked if these requirements are for new construction only and he also asked about renovations if they want to add a floor or two onto an existing building to make a data center.

Mr. Lash said the definition now does not distinguish between new and existing buildings. The developer would still have to go through the Conditional Use process for a data center. If they want to renovate an existing building it should not exceed 50 ft. in height, or exceed 40% of the net developable site and if it didn't have the existing type of façade treatments they would need to do something to that effect by submitting it through the Conditional Use process.

Mr. Waks asked about the parking requirements. Mr. Lash responded they require 1 space per 10 thousand sq. ft. of gross feasible area and the area dedicated offices should require 4 spaces per 1 thousand sq. ft. of gross feasible area. Previously the Township only had 1 space per 5 thousand now they're creating a ratio between the data center areas vs. the office areas. Next, Jarrett mentioned under C2 the building footprint should not exceed 40% of the net developable site. This means 40% can have impervious coverage in case of future use to that point which we discussed previously and the remaining 20% will go towards the green space requirements between LI and HI.

Vice-chair Jenaway asked about emergency generators. Jarrett said currently generators are allowed to exceed the noise limit between 9 am to 5 pm and asked if we should include a clause in an emergency if the power goes out during the night. Chairperson Garzillo said since the data centers will be limited to LI and HI areas they're not near residential homes so the noise should not be a problem.

Mr. Ed Campbell suggested the Township consider having smaller data centers since there are already smaller ones throughout the Township and you wouldn't have to limit the zoning area. He knows there is one at 3400 Horizon Drive which is about 22,000 sq. ft. and GSK also has a data center in their building as well as other businesses in the Township for their own personal data. So, he feels if we have smaller data centers the noise wouldn't be loud like they are in larger centers that are truly a Data Center, which stores information for other businesses.

Chairperson Garzillo asked Mr. Campbell which zoning districts would he consider and he responded SM1 area, which he believes there is already one there. Mr. Campbell mentioned having smaller data centers will be good use of empty buildings which can be converted, they have low traffic because there is only a few people working (monitoring Computers and Network Equipment) and the Township can cap their building coverage and height at 50 ft. Supervisor Kenney said the Township doesn't want a mega data center but thought they were considering larger ones. Mr. Campbell said if the Board wants Microsoft or Amazon to develop a 2-million-dollar center that would increase the value of that property and in return increase the School District and Township's tax base this would have to exceed the 50 ft. height restriction. Supervisor Kenney asked why can't they build it longer and wider instead of up and Supervisor Phillips replied it's not efficient for them due to the wiring having to run horizontal instead of

vertical and Vice-chair Jenaway said the cable trays get heavier that way and they'll have to reinforce the roof.

So, after further discussions Mr. Campbell said having a Data Center Ordinance in place will distinguish Upper Merion from other communities and it would be an asset for the community tax base, receiving more taxes and not extra traffic. Chairperson Garzillo said she would like to see some comps about the increase and the value there would be from the tax base. She said there is a trade off between data centers and warehouses compared to other businesses, like an Entertainment Center in which we would receive LST payments from the 511 Business Tax but then there would be more traffic.

Next, Supervisor Kenney asked what is considered to be low and what would be the outside max that he envisions. Mr. Campbell responded between 85 to 120 ft. high, which would be about 5 floors tall. Then, there was a long conversation about the look of the building, windows and the surrounding grounds. Supervisor Philips mentioned if a company is taking over a property for a data center that already has 50% how do you get them to go back, by a variance or by conditional use, he stated he is not in favor of it.

Mr. Lash said the intent behind the previous conversation the Board had was that a typical development would have a warehouse with the parking spaces surrounding it. A Data Center would not require the same amount of parking, plus you would be able to see a much larger building on the same impervious coverage on that same site. So, by having the data centers in LI and HI areas was to keep it more in line with the character of other buildings in that area.

Then Mr. Lash said they have to relook at the definition to make sure that the Township is being inclusive of it, being focused on the primary use of a data center and it not being an accessory to the business operation. He also mentioned he will research some examples that he heard previously about the ratable for data centers and what it looks like in communities that have seen them come in and how it has affected the land value in areas that have data centers. Jarrett believes the 50 thousand square foot mark is accurate and said this was drafted with large data centers in mind.

Mr. Lash mentioned not only will he look at LI and HI areas, he will also look into SM1 area that Supervisor Philips suggested. He said if they maintain the same dimensional requirement, 40% and 50 ft. high as it's written right now, then how many of those will be able to exceed 50 thousand square feet based on the two story maximum that they've been seeing. This will give them an indication on how many are really in those areas and in which case we could amend point C in this, that Conditional Use process and procedures for data centers that exceed 50 thousand square feet.

Then, for the smaller warehouse that is 50% building coverage but only 40 thousand square feet, would be able to do the interior fit out without having to go through the Conditional Use process.

In addition, they can draft that the Conditional Use is more stringent and it has the 40% coverage for only data centers over 50 thousand square feet and for smaller data centers it can be more about the architecture appeal to make sure it's in line with community character.

Public Comments: None

Board Comments:

Supervisor Waks said the Community Advisory Board wants feed back on whether or not a community association like the Valley Forge Towers or Rebel Hill can use a meeting room once a year at the Community Center for their yearly meeting, even though the owner of the Towers or HOA is not located in Upper Merion. Supervisor Phillips said it not for the owner of the building or HOA it's for the people in that community which are residents of Upper Merion. So, the Board agreed that they can use a room once a year without charge, for all other meetings they would have to pay the fee.

ADJOURNMENT:

Board Action:

It was moved by Supervisor Waks, seconded by Supervisor Phillips, all voting "Aye" to adjourn the meeting. None opposed. Motion passed 5-0. Adjournment occurred at 7:08 pm.



ANTHONY HAMADAY  
TOWNSHIP MANAGER

lr  
Minutes Approved:  
Minutes Entered: