



THE COUNTY OF CHESTER



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December 9, 2025

Robert A. Zienkowski, Township Manager
East Vincent Township
262 Ridge Road
Spring City, PA 19475

Re: Zoning Ordinance Amendment - Data Center Campus, Data Center Campus Development by
Special Exception in the IMU – Industrial Mixed Use District (Supplemental Submission)
East Vincent Township - ZA-11-25-18728

Dear Mr. Zienkowski:

The Chester County Planning Commission has reviewed the proposed East Vincent Township Zoning Ordinance amendment as submitted pursuant to the provisions of the Pennsylvania Municipalities Planning Code, Section 609(e). The referral for review was received by this office on November 14, 2025. We offer the following comments to assist in your review of the proposed Zoning Ordinance amendment.

DESCRIPTION:

1. East Vincent Township proposes the following amendments to its Zoning Ordinance:
 - A. Allow Data Center Campus (DCC) and Data Center Campus Development use by special exception in the IMU – Industrial Mixed Use District;
 - B. Adopt definitions for: “applicant” (i.e., applying only for the purposes of the proposed amendment); “approve, approved, approval”; “determine, determines, determined, determination”; “direct, “directed”; “owner or owner/operator”; “to the satisfaction of”; “township”; “data center”, “data center campus (“DCC”)”, “data center accessory uses”, “data center equipment (“DCE”)”, “daytime ambient sound”; “nighttime ambient sound”; and “sensitive receptors”;
 - C. Add area, bulk and lot regulations, accessory uses, parking standards, fencing, truck idling, buffering regulations, lighting, natural resource conservation, LEED certification, the preparation of a concept plan, an economic impact analysis, a traffic impact analysis, a water and sewer analysis, electric use, tree and tree replacement standards, an environmental impact study, regulations regarding sound and the preparation of a sound study, regulations pertaining to generator operation, an emergency response plan, a community benefits agreement, and other provisions.

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BACKGROUND:

The Chester County Planning Commission reviewed a prior version of this Township Zoning Ordinance amendment and our comments were forwarded to the Township in a letter dated September 23, 2025 (refer to CCPC # ZA-09-25-18648). In a Township letter to the County Planning Commission, dated November 13, 2025, the Township stated that the prior version of the amendment was tabled and underwent a lengthy revision and review process.

The Township's letter to the County Planning Commission also stated that, by way of background, an applicant had submitted a conditional use application under the provisions of the Industrial Mixed-Use District for a proposed data center related to a tract owned by the applicant.

The Chester County Planning Commission's review of this submission does not include any assessment or analysis of the suitability of any particular tract because the proposed amendment could apply to any parcel within the IMU-Industrial Mixed Use District that meets the amendment's qualifying requirements; the Township should be aware that the amendment, if adopted, could potentially apply to other qualifying parcels in the IMU District, and the County Planning Commission's review is limited to the text of the proposed Zoning Ordinance text amendment.

LANDSCAPES:

2. The East Vincent Township IMU – Industrial Mixed Use District, where Data Centers and Energy Technology Campus land uses would be permitted by this amendment, are generally located in the **Suburban Landscape** designation of [Landscapes3](#), the 2018 County Comprehensive Plan. The vision for the **Suburban Landscape** is predominantly residential communities with locally-oriented commercial uses and facilities, accommodating growth at a medium density that retains a focus on residential neighborhoods, with enhancements in housing diversity and affordability. Additionally, roads, sidewalks and paths with convenient access to parks and community facilities should be provided.

The proposed East Vincent Township Zoning Ordinance amendment could be consistent with the objectives of the **Suburban Landscape**, but the Township should carefully consider the comments in this letter and craft changes to the proposed amendment that can limit the avoidable externalities potentially associated with data centers and data center campus land uses.

COMMENTS:

3. As noted in our review of a previous version of this amendment, data centers have become essential to meet the demands of artificial intelligence, telecommunications, and computer systems; and they are also associated with high energy use, water consumption, noise, building mass, environmental protection, among other concerns. It is appropriate that East Vincent consider adopting an ordinance that will permit data centers as well as mitigate potential adverse effects.

The provisions in the currently-proposed amendment are appropriate and address many of the matters that the County Planning Commission raised in our previous review. We continue to recommend that the Township consider the additional comments discussed in this letter.

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4. Because data centers can result in significant land use, energy and environmental concerns that extend far beyond the physical limits of a data center site, we continue to suggest that the Township regulate these facilities by conditional use rather than by special exception as proposed in this amendment, because the Township Supervisors may be better positioned to assess such wider community impacts. The Board of Supervisors can impose reasonable conditions on such proposed facilities and "...attach such reasonable conditions and safeguards, in addition to those expressed in the ordinance, as it may deem necessary to implement the purposes of ...the zoning ordinance." (Municipalities Planning Code, Section 913.2(a)).
5. The Purpose statement in proposed **Section 27-2806. Special Provisions for Data Center Campus Development** clearly expresses the Township's reasons for creating the proposed ordinance to protect the:
"...public health, safety, and welfare of its residents by establishing environmental, performance and other standards, including, but not limited to, limits on noise, water use, energy demand, and monitoring, reporting, and enforcement mechanisms to ensure compliance with Township ordinances and state and federal law, and consistent with Pennsylvania's Clean Energy Goals, Chester County's Landscapes3 planning framework..."

The East Vincent Township IMU – Industrial Mixed Use District, where data centers and data center campus land uses would be permitted by this amendment, are within the "High Intensity Mixed Use" designation in the 2018 East Vincent Township Comprehensive Plan's Map 9, "Future Development Plan". (The East Vincent Township Comprehensive Plan is available at: https://www.eastvincent.org/vertical/sites/%7B5B8F1E55-6CA8-450E-BB40-12A8385B1313%7D/uploads/EVT_COMP_PLAN_FINAL_VERSION_10-04-2018_v1.1.pdf)

Page 24 in the Comprehensive Plan describes the High Intensity Mixed Use designation as:

"These areas include the "Jones Motors" and "Pennhurst" sites and some adjacent properties. These areas are currently zoned PO-Industrial/Professional/Office Research, Commercial Mixed-Use and Industrial Mixed-Use. Since all these districts promote higher intensity development that include a variety of uses, it is recommended that they be combined into a single zoning district that promotes large-scale planned development that includes residential and non-residential use. The new zoning should also incorporate design standards to insure future development results in high quality streetscapes within a walkable pedestrian scale community."

Also, the area is within the Schuylkill River Heritage Area. As described on page 8 of the Comprehensive Plan:

"This area, which is now referred to as the Schuylkill River Greenways National Heritage Area, covers the Schuylkill River watershed in Schuylkill, Berks, Chester, Montgomery, and Philadelphia Counties. This region is nationally significant for the role that its people, places, and events played during the American, Industrial, and Environmental Revolutions. The Heritage Area provides public drinking water to 1.5 of the 3.2 million people across five counties."

As stated in the East Vincent Township Comprehensive Plan, the IMU District includes a variety of uses (e.g., residential and non-residential). For these reasons, the proposed ordinance should include ample screening and setbacks, as well as other provisions to protect nearby residential areas.

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The following issues should be addressed in the proposed ordinance:

- A. Proposed **Sections 27-2806.6.4.D. Sound, Noise and Vibration Limits, 27-2806.6.4.E. Lighting Standards, 27-2806.6.4.F. Environmental Impact Analysis** and **27-2806.6.4.G. “Prospective Sound and Vibration Study”** assesses very technical matters. The Township will need to engage a person who is trained and qualified in the use of specialized equipment necessary to establish objective measurements to determine compliance with these requirements.

Also, the provisions relating to noise should specifically include vibrations perceived through the ground, or which may be intermittent. However, it may be difficult to assess compliance during times when sound disturbances may be most noticeable, such as during nights and weekends, or when Township staff may be unavailable to respond to complaints.

Also, proposed **Section 27-2806.7.C.(2)**. refers to the “...final escrow release for any data center land development phase.” Escrow funds, as regulated in the Municipalities Planning Code Section 509, typically relate to financial security necessary to ensure the completion of physical improvements. If proposed **Section 27-2806.7.C.(2)**. relates to ensuring compliance with sounds, vibration or other non-physical parameters, the Township Solicitor should provide specific advice on this Section.

- B. The Township should consider requiring a data center operator to provide routine public reports on environmental impacts such as water usage, air quality and noise levels, including regular/continuous monitoring of such impacts. The Township should also consider the potential effects of locating a data center near a floodplain or near the Delaware River.
- C. Proposed **Section 27-2806.6.E. Electric Use Analysis (“EUA”)** addresses the estimated impacts on electric rates or power availability for other uses directly attributable to the data center campus. Some other municipalities have attempted to require data center operators to reduce their power demands during periods of excessive demands on the grid, to avoid brownouts or blackouts.
- D. Proposed **Section 27-2806.7.E. “Community Benefits Agreement”** (CBA) should be reviewed by the Township Solicitor to determine if it is consistent with the applicable provisions of the MPC. This proposed Section states that the CBAs “... are intended to offset the impacts of DCC developments on local resources and infrastructure including, but not limited to, environmental resources, historical resources, emergency responders (fire, emergency medical services and police), roads, sanitary sewer and local government administration...” However, the Township Solicitor should confirm that the CBA is allowable under the provisions of the MPC, specifically Article V-A Municipal Capital Improvement. As noted above, the Township Supervisors (or Zoning Hearing Board as part of a special exception approval) can impose reasonable conditions on such proposed facilities and “...attach such reasonable conditions and safeguards, in addition to those expressed in the ordinance, as it may deem necessary to implement the purposes of ...the zoning ordinance.” (Municipalities Planning Code, Section 913.2(a)).
- E. The Township’s amendment should more-fully address the use of water for cooling the data center, and whether significant withdrawals from the aquifer will be required. The Township should ensure that any release of water used for cooling (the ordinance requires a closed-loop system, but occasional releases may be necessary) will not adversely affect the watershed, because such water may be at a higher temperature than that of the receiving water. The applicant should also discuss what will happen if adjacent water wells are affected by the facility’s water use. Applicants should also indicate if methods to release excess heat from cooling water may require the use of cooling towers, with their attendant visible plumes of water vapor.

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- F. The amendment’s Tree Mitigation and Replacement Standards refer to a “Township Arborist.” The Township should clarify how the position of Township Arborist will be appointed or created.
6. The Township has proposed to permit “Data Center Campus” as well as “Data Center Campus Development” in different sections in the IMU-Industrial Mixed Use District. It is not clear how these two land uses are different, or why they should be listed separately in the IMU District. If these two uses are essentially the same, the Township should consistent terminology.
7. Section **27-2806. Special Provisions for Data Center Campus Development** Subsection 3.C.(4) requires that:

“For Building Coverage in excess of 300,000 square feet, all proposed DCC buildings must be designed and constructed to meet the standards of the LEED Gold certification program and achieve LEED Gold certification. Additionally, Applicant must purchase 1 TDR for every 4,000 square feet of Building Coverage above and beyond 300,000 SF of proposed building coverage, rounded up to the nearest TDR...”

US Green Building Council LEED certifications are not typically granted before construction is complete because information about a facility’s energy usage over time would not be available, and applicants may not be able to provide such information at an application phase. However, it is still appropriate to require facilities to be designed to reasonably strive towards achieving a LEED certification. Applicants can also register with the US Green Building Council at any time to indicate the intent to pursue a LEED certification. Applicants can also apply for pre-certification for projects in the design phase to gain recognition of sustainable goals prior to completion. (refer to: <https://www.usgbc.org/leed>).

In addition, the use of transferable development rights for non-residential development is unusual, but the Pennsylvania Municipalities Planning Code, Section 619.1 **Transferable Development Rights** does not appear to be specifically prohibit their use in non-residential developments. However, the Township should be able to describe how it arrived at the proposed ratio of “...1 TDR for every 4,000 square feet of Building Coverage above and beyond 300,000 SF of proposed building coverage...” in this Section.

8. Data centers are intensive energy users. We suggest that the Township consider how a data center’s anticipated electricity demand may affect the capacity of the grid without creating the potential for brownouts or failures. Also, the definition of DCC specifically excludes “Any fossil fuel based power generation system, (except as stated in the definition of Backup Generator below)...” as well as using biomass, anaerobic digestion or nuclear power. The definition of Data Center Accessory Uses does mention “...renewable energy generation system uses ... to supply power to the DCC during normal operations or as backup power sources...” but does not specifically include a definition of Backup Generator. This should be clarified.

Also, it may be difficult for a data center to operate when power from the grid is lost, and it may be even more difficult to continue operations without some form of temporary fossil-fuel based power generation. (Battery-based backup power supplies may not be adequate for more than short power outages). This may need further consideration by the Township.

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9. Proposed *Section 27-2806.5 DCC Special Exception Application Section 5.C.(2)* requires “Additional Documentation including a Concept Plan” and supporting documentation. This is a useful provision, and the Township should recognize that changes to such a Concept Plan may be necessary to respond to new circumstances and flexibility may be necessary.
10. Some data centers and DCCs operate without significant (or minimal) on-staff personnel and require minimal interior lighting. Additional security and site access concerns should be discussed with the applicant to ensure that only authorized personnel can enter the center and its grounds.
11. The Township’s first responders should assess how they will handle emergencies especially when data centers involve electrical equipment, water systems and hazardous materials. The provisions in *Section 27-2806.6.F.(1)* (relating to “...potential impacts ... during periods of emergency power, fire, and fire suppression and control... storage of oil-based or other combustible materials...and release of gasses and/or other ...” and “...potential stationary and mobile sources of fine particulate matter...”) should be reviewed by the Township’s first responders. The *Emergency Response* Plan in *Section 27-2806.7.A.* should also be reviewed by the Township’s first responders.
12. The spelling of “recepter” probably should be changed to “receptor” because of its contextual usage.
13. The Township should review how other municipalities regulate data centers:
 - Penn Future prepared a model data center ordinance, at: <https://www.pennfuture.org/datacenters>.
 - The York County Planning Commission also prepared a model ordinance, at: <https://www.ycpc.org/Search?searchPhrase=data%20center&pageNumber=1&perPage=10&departmentId=-1>
 - The Loudoun County data center ordinance is available at: <https://online.encodeplus.com/regs/loudouncounty-va-crosswalk/doc-viewer.aspx#secid-859>

RECOMMENDATION: East Vincent Township should consider the comments in this letter before acting on the proposed zoning ordinance amendment.

We request an official copy of the decision made by the East Vincent Township Supervisors, as required by Section 609(g) of the Pennsylvania Municipalities Planning Code. This will allow us to maintain a current file copy of your ordinance.

Sincerely,



Wes Bruckno
Senior Review Planner