

**LOWER GWYNEDD TOWNSHIP BOARD OF SUPERVISORS
SPECIAL MEETING
TUESDAY, OCTOBER 6, 2026**

SUPERVISORS PRESENT:

Danielle A. Duckett, Chairman
Michael Twersky, Vice Chair
Janine Martin
Andrea Brockway
Jimmy Chong

STAFF:

Mimi Gleason, Township Manager
Jamie Worman, Assistant Township Manager
Michelle Farzetta, Office Manager
Neil Stein, Esq., Solicitor
Paul Kenny, Police Chief
Al Comly, Fire Marshall

Call to Order and Pledge of Allegiance

The Chair called the hybrid meeting to order at 7:08pm at the Lower Gwynedd Township Building and virtually on Zoom and led those in attendance in the pledge of allegiance.

DATA CENTER ORDINANCE

Zoning Officer Presentation: proposed zoning regulations for data centers

Jamie Worman, Assistant Township Manager and Zoning Officer, presented a high-level overview of the Township's proposed data center ordinance, emphasizing two important preliminary points: first, that no data center application is currently pending before the Township; and second, that under Pennsylvania law, the Township cannot outright prohibit data centers, nor impose standards so restrictive as to effectively preclude such development. The ordinance is intended to address data centers generally – not hyperscale facilities specifically – and to fill a recognized gap in the Township's existing zoning ordinance.

Background and Process

The Board initiated the municipal curative amendment process on July 28, 2026, by declaring relevant portions of the zoning ordinance invalid. On August 25, 2026, the Board approved Resolution #2026-17, identifying the specific provisions to be cured. Since that time, staff – including the Township Manager, Assistant Manager, Fire Marshal, Township Engineer, Traffic Engineer, and Township Solicitor – along with an internal Building and Zoning Subcommittee (comprising the Planning Commission Chair and two Board members) worked to develop the draft ordinance. The subcommittee met on September 14, 2026, and again on October 5, 2026.

Key Provisions of the Draft Ordinance

Ms. Worman explained that the ordinance would amend the existing F-Industrial District to permit data centers as a conditional use, requiring Board of Supervisors review and public hearing approval before any land development could proceed. The principal provisions include:

Site Design and Location: The ordinance establishes a 750-foot setback from all abutting residential districts and uses. A review of the Township's zoning map illustrated that, due to this setback requirement, the Ambler Yards parcel within the F-Industrial District is too narrow to accommodate a data center. The only parcel identified as potentially suitable is 500 Railroad Avenue, which could accommodate a building footprint of approximately 30,000 square feet per floor, with a maximum of two floors. All data center accessory structures and equipment—including outdoor electrical equipment—must be contained within the permitted building envelope, preventing any reduced setback allowances for accessory structures. Vegetated buffers are required along all property lines, with enhanced buffering adjacent to residential areas. Mechanical and electrical equipment must be screened using buildings, landscaping, or fencing.

Utilities and Water: The ordinance requires connection to public water, sewer, and electric utilities. Applicants must provide "will serve" letters and a written assessment from a certified hydrogeologist demonstrating sufficient utility capacity. If improvements are needed, all costs are the applicant's responsibility. A closed-loop cooling system is required to minimize water consumption unless an alternative system can be demonstrated to use less water and energy. Full disclosure of all additives used in cooling systems is required, and PFAS, PFOS, and other toxic substances are prohibited. Quarterly testing of cooling system discharge is required, and importation of water or use of treated industrial effluent as coolant is prohibited.

Noise and Vibration: Maximum noise levels are established at property lines, with greater protections near residential uses. The ordinance references World Health Organization guidelines, including a limit of 40 dBA between the hours of 10:00 PM and 7:00 AM. A preliminary sound study is required before approval to establish a baseline, followed by an interim study during construction, an as-built study after construction, and an annual ongoing study. Corrective measures are mandatory if limits are exceeded. A vibration study is also required, and vibration must be shown not to extend beyond the property line.

Power and Hazardous Materials: Backup generators are restricted to emergency and backup use only and may not serve as supplemental or routine power. Specific hours for routine generator testing and maintenance are established, and restrictions on hazardous material storage and handling are included.

Required Studies and Plans: Each conditional use application must include a detailed site plan, traffic impact study, energy usage plan, thermal impact plan, sound studies, vibration study, and an emergency response plan. The emergency response plan includes provisions for ongoing training of emergency responders who may need to access the facility.

Decommissioning and Financial Security: The ordinance requires the owner to notify the Township when operations cease and mandates that the facility be dismantled and removed within 12 months of abandonment. Financial security must be posted prior to recording a land development plan to ensure funds are available for decommissioning. That security is subject to periodic review to account for changing costs.

Next Steps in the Adoption Process

Ms. Worman noted that authorization from the Board was being sought to begin the formal ordinance amendment and adoption process. Following that authorization, the draft ordinance would be sent to the Montgomery County Planning Commission and the Township Planning Commission for a mandatory 30-day review period and would be posted publicly on the Township website. The Planning Commission is expected to consider the ordinance at its November 18, 2026, meeting. A public hearing before the Board could be scheduled as early as December 8, 2026, with additional dates in January 2027 available if needed. The curative amendment period expires on January 24, 2027.

Community questions and discussion

Ms. Duckett opened the floor to public comment, asking speakers to state their name and address for the record.

Irene Lewis, 513 Montgomery Road, asked how the Township would enforce noise standards once a facility was operating. Ms. Worman explained that embedding noise requirements within the zoning ordinance – rather than a standalone ordinance – provides a broader range of enforcement tools. Township Solicitor Neil Stein elaborated that the Pennsylvania Municipalities Planning Code (MPC), Section 617, grants the Township authority to issue fines, pursue injunctive relief (a court order prohibiting a use or operation), and that the same remedies are available to affected residents through a private cause of action. Ms. Lewis acknowledged this but expressed concern that large operators might simply absorb fines as a cost of doing business. She also asked whether nondisclosure agreements (NDAs) between municipalities and data center operators could occur here. Mr. Stein noted that some communities have signed NDAs as part of Community Benefit Agreements with operators but indicated he did not believe the current Board would enter such an arrangement. Mr. Twersky confirmed this sentiment. Ms. Lewis further asked whether a data center would be taxed as a standard commercial entity; Mr. Stein confirmed it would and clarified that local municipalities do not have the authority to grant tax breaks.

Julia Judson Ray, 718 Fox Hollow Road, raised three questions. On vibration, Mr. Stein and Ms. Worman confirmed that a vibration study is required as part of the conditional use application and on an ongoing basis, consistent with the framework applied to sound studies. On exterior electrical equipment, Ms. Worman clarified that while some equipment is inherently external to a data center, the ordinance requires all such equipment to be contained within the building envelope – eliminating reduced setback allowances typically available to accessory structures such as sheds on a residential property. Mr. Twersky noted this restriction ensures operators cannot seek relief from the envelope constraints by excluding electrical equipment. On the SEPTA rail setback, Ms. Worman clarified that a 50-foot setback from the rail line does apply under the F District's existing zoning standards, which

would not change under the ordinance. Fire Marshal Al Comly stated he did not have initial concerns about emergency response given the proposed scale of the facility, noting that the building code's inherent requirements – including sprinkler systems – address many standard concerns. He expressed that batteries within the facility represent the primary fire concern, and that the public water requirement would provide appropriate fire suppression capacity. Mr. Comly observed that the site's prior use by a chemical plant likely posed greater hazards than a data center of this scale.

Nicholas Nalence, of the Meadows at Lower Gwynedd asked how and at what stage residents would be informed of a data center proposal. Mr. Stein explained that both the conditional use process and the subsequent land development process are inherently public proceedings. Ms. Worman described the notification requirements: legal notice must be published twice at least 10 days before any hearing; properties within a defined radius of the subject parcel receive direct notification; the application and its status are posted on the Township's development tracking webpage; and newsletter updates are provided. She added that a data center proposal, given its potential community impact, would likely receive additional outreach through news alerts. Mr. Nalence expressed satisfaction with the response.

Nancy McGarvey, 510 Pen Ambler Road, recalled the former AmChem chemical plant on the site and expressed concern about whether Ambler Borough's water supply had sufficient capacity for a data center and what the implications might be for water and sewer rates. Mr. Twersky noted that the restricted building envelope – smaller than the previous industrial use on the site – was intentional and that he did not foresee capacity issues. Ms. Worman confirmed the will serve letter requirement and reiterated that any needed improvements are the applicant's financial responsibility. Ms. McGarvey also asked whether a specific noise threshold was established; the chair confirmed that World Health Organization guidelines are being used, including the 40 dBA nighttime limit at the property line.

Tara Kush, 704 Merrill Road, speaking on behalf of residents in a neighborhood served primarily by private wells, asked whether the ordinance would require the developer to demonstrate that water consumption would not lower the groundwater table, and whether baseline well testing would be required before construction. Ms. Duckett outlined that the ordinance requires a written assessment by a certified hydrogeologist, including a proposed development and improvement plan to mitigate any proportional groundwater impact. The ordinance also addresses wastewater capacity for both domestic and industrial/cooling purposes, prohibits PFAS and other toxic additives in the cooling system, requires quarterly cooling discharge testing, and prohibits imported water or treated industrial effluent as coolant. The chair acknowledged the concerns of residents on private wells and encouraged further review of the full ordinance once posted publicly.

David Morgan, 430 Hoover Avenue, confirmed with staff that the Township's draft draws upon the Montgomery County Planning Commission's model ordinance, and staff confirmed they had reviewed and expanded upon it. He asked whether two floors was the maximum; Mr. Twersky confirmed it was. Mr. Morgan raised concerns about water availability during drought conditions. Mr. Comly clarified that public water systems relying on tank storage and pressurized infrastructure

are not materially affected by groundwater drought conditions in the way private wells are, and that Ambler Borough's two reservoir tanks provide adequate reserves.

Eric Rudolph, 537 Montgomery Road, raised the issue of generator-related air pollution; Mr. Twersky and Ms. Duckett reiterated that generators are restricted to emergency backup use only and must be contained within the building envelope. Mr. Rudolph offered technical commentary on tonal noise, noting that narrow-band tonal frequencies – distinct from broadband noise – are not captured by standard noise measurement methods and can have biological effects on humans, animals, and pollinators. He suggested that the ordinance consider building-code-level noise containment requirements at the facility level, rather than relying solely on property-line measurements after construction. He also questioned whether continuous monitoring of noise, vibration, air, and water discharges from within the facility should be required, noting that industrial facilities routinely meter and self-report such data. These comments were received by the BOS without formal action but were noted for potential incorporation into the draft.

Mr. Morgan, returned to the microphone to ask whether a neighboring municipality could site a data center adjacent to the Township's boundary, potentially creating a combined noise impact. Mr. Twersky reviewed the surrounding land uses, noting that the adjacent areas include Cedarbrook Country Club, Pen-Ambler Park, and residential developments – none of which would be suitable for a data center. He acknowledged that the Township has no authority over land use decisions in neighboring municipalities but expressed that most area municipalities share similar perspectives on data center development.

Consider authorization to initiate the adoption process, including advertisement of a legal notice for a public hearing, of an ordinance amendment adding data center regulations to the Township's Zoning Ordinance

The chair presented the memorandum from Assistant Township Manager Worman recommending authorization to begin the formal ordinance amendment and adoption process. Ms. Martine offered remarks thanking the full team – supervisors, staff, and consultants – for their extensive research and collaborative effort in producing a comprehensive draft ordinance. Ms. Worman noted for the public that the draft would continue to be refined before being posted for review, and that the authorization was to begin the formal process, not to finalize the ordinance.

A motion to authorize the initiation of the formal ordinance amendment and adoption process, including advertisement of a legal notice for a public hearing, of an ordinance amendment adding data center regulations to the Township's Zoning Ordinance, was made by Ms. Duckett and seconded by Mr. Twersky. The motion carried unanimously.

Ms. Duckett thanked staff, with particular recognition to Ms. Worman for her presentation, and noted that the presentation slides would be posted to the Township website.

PUBLIC COMMENT

No public comments were offered on items not on the agenda.

Adjournment

A motion to adjourn was made by Ms. Duckett and seconded by Ms. Martin. The motion carried unanimously. The meeting was adjourned.

Respectfully submitted,

Michelle Farzetta

Michelle Farzetta
Office Manger