

DRAFT MEETING MINUTES

SMART GROWTH COMMITTEE OF BOROUGH COUNCIL

Date: Wednesday, March 11, 2026 @ 5:30 PM

Committee Members: Jerry Szczepaniak, Chair
Stephen Marvin

Staff: Aaron Flook, Director of Building, Housing & Code Enforcement
Sean Metrick, Borough Manager

- I. Call to order-**THERE WAS NO AUDIO UNTIL THE 2 MINUTE MARK OF THE RECORDED MEETING**
- II. Announcements
 - A. Public Hearing to approve the conditional use application by West Chester University of the State System of Higher Education master plan for proposed development on March 23, 2026 @ 6:30 PM
- III. Comments, suggestions, petitions by residents in attendance regarding items not on the agenda. *(Please be advised that all public comments have a 5-minute time limit.)* Tom Walsh, Chair-Historic Commission, reviews the upcoming events the Historical Commission are planning. He reviews the budgets of these events and the money requested for these events. Chris Lang, Member, Historical Commission, presents Committee with proposal from a local film company that created an oral history for West Bradford Township, and is interested in having the same company create an oral history for the Borough. No action is required by Committee at this time; Historical Commission will appear on the agenda next month to give a formal presentation. Lola Birkenstock, W. Washington St, speaks of the validity of the vape shop that was recently opened on W. Washington Street. She requests the ordinance be changed to restrict smoke/vape shops a certain distance from schools, churches and parks. Mr. Flook explains that zoning laws prohibits the elimination of use in any zoning district, in this instance, this use is not allowable in this residential zoning district, however, the previous use of this property was retail shop, which is already a non-conformity and continuance of non-conformities are permitting in all zoning districts. The Council can put into place descriptives that would protect sensitive individuals. Working with Borough Solicitor, the Council would be able limit uses. Two members of Council are in favor of investigating this further and ask to move to Work Session agenda for additional discussions with all of Council members. Ms. Birkenstock brings up the lighting issue with the same property. Mr. Flook requested the shop to turn off the lights after closing, which they (business) are not doing. These lights shine directly into adjacent properties even through darkening curtains and shades. Ms. Birkenstock asks that the lighting issue be addressed as well. Mark Umile, N. New St, confirms the vape shop is a nuisance to the neighborhood with lights, signage, bongs, and other inappropriate items on display in the windows. He continues, this is completely residential neighborhood with parks, schools, and churches as neighbors.
- IV. Reports
 - A. Director's report – (attachment) Aaron Flook, Director of Building & Housing and Code Enforcement, presents statistical information for February 2026. Rental license renewal process for 2026-2027 has begun. 1% of rental licenses for the 2025-2026 have not be yet renewed. Café Permits licenses will include UCC (building code) regulations and ADA requirements. Code Enforcement will begin on Saturdays to enforce Café Permit seating and codes in general. This will be performed by our current Code Enforcement Officers on a rotating schedule. Two Zoning Hearing Board applications were set to be heard on February 23, 2026, due to a snow event, and were cancelled. These applications are set to be heard

March 31, 2026. Planning Commission worked the West Chester University Master Plan. Vote on recommendation is scheduled for March 9, 2026. The Borough has been notified by the Developer of 611 E. Nields St, will be moving forward. Developer Agreements and confirmation requests to our consultants have been sent to ensure all required items have been satisfied. This Land Development application has been in progress since 2021. The Borough is working on creating a Land Development page on the website to be used as a reference for the community for status of Land Development applications. Mr. Metrick, with regards to 611 E. Nields project, added because our legal representation also provides legal counsel to West Goshen Township that this project borders, our legal representation decided this was a potential conflict of interest and conflict counsel was appointed. If Council has any questions with this project, conflict counsel is whom the questions should be directed.

B. Smart Growth Committee - *Chair Report, workplan and issues raised at prior meetings (attachment)* Mr. Szczepaniak speaks of the online database of land development projects Council agreed to have created at their last meeting. Smart Growth has been tasked by Council to look into introducing more renewable energy to the Borough.

V. Old Business

A. Motion to approve Smart Growth Committee minutes – February 11, 2025 (attachment)- 2:0
Motion to recommend approval

VI. New Business

B. Motion to approve HARB applications (attachment)- 2:0 Motion to recommend approval

Issue: Consider a Motion to approve the January HARB Certificate of Appropriateness

1. 2026-05: 6 W. Market St-Roof replacement

B. Discuss Data Center Ordinance (attachment)

Issue: Consider directing Solicitor to prepare an Ordinance relative to Data Centers

Mr. Flook discussed with Committee that data centers are becoming an issue with municipalities because it doesn't matter if the data centers are built in the municipality, it matters what electrical grid it is constructed. Borough of West Chester is part of the PANJMD grid, Pennsylvania, New Jersey, Maryland grid. This grid now contains parts of thirteen different states, reaching Michigan, North Carolina, parts of Tennessee then up to Pennsylvania, New Jersey and Maryland. The way it affects the consumers, if is on the distribution side of power, more resources are made available for the distribution of power. The downfall is the generation side, no new infrastructure has been built in 20 years to generate power. The country as a whole has been in a surplus of power. Because of the data centers that are being constructed and working, the country is -6.6GW%. This could require rolling brown or black outs during peak seasons. Data centers use an incredible amount of energy, so everyone in that grid is affected. Because of more demand of energy, there is more cost. Municipalities are now requiring data centers to provide their own power from the generators which removes supply from the grid creating supply issues and raising the cost. The last five y years there has been 150%-400% increase in energy costs over most grids in the United States. The top three locations to place data centers are Texas, Virginia and Pennsylvania, the last two places being in the grid West Chester Borough is located. Almost 33% of all data centers working in the world are located in northern Virginia. Also creating issue, is enormous amount of water these data centers consume, possibly leading to area water contamination and supply issues going into local municipality wastewater treatment plant. Backup power also consumes extraordinarily large amounts of diesel fuel, with generators that must be tested 68 hours a month to ensure it's working properly. Job opportunities with these plants have been over exaggerated. The Borough cannot ban the use of data centers, they an get ahead of this issue with regulating buffers, set-backs would give more distance to where the center is located and the population.

If data centers are not regulated to a district, they are allowed to go anywhere. This issue has not come up yet in the Borough, this is to keep ahead of the possibility of a data center or energy production center. Mr. Szczepaniak asks if Pennsylvania has any regulations for data centers. Mr. Flook answered, there are currently no active bills to regulate data centers in Pennsylvania. Mr. Szczepaniak asks if the Borough has a property that would be viable for a data center. Mr. Flook responds possibly the property at 611 E. Nields that is already under development but feels that parcel would be too small for a data center. An acre to three acres would be the smallest amount to property to install a traditional data center. Mr. Szczepaniak agrees this issue should be brought to Council's attention. Mr. Flook reminds Committee that after Council sets forth an ordinance, Chester County Planning Commission will need to review and approved prior to the Borough holding a hearing then passing the ordinance. Mr. Metrick clarified that it would be wise for the Borough Planning Commission have input then have Solicitor draft an ordinance to pass onto Borough Council. Mr. Szczepaniak agrees to move to next week Work Session. Lisa Kearns, W. Biddle St, would like this issue to go to the Planning Commission first before coming to Council. Mr. Flook would like to have a solid model ordinance in-hand prior to moving onto the Planning Commission. Ms. Reiner, Assistant Borough Manager, asked if this issue could move on to Council Work Session to see if there is interest to moving forward to committee to workshop, then onto Planning Commission. 2:0 agreed to move forward to Work Session.

VII. Other business-Mr. Flook discusses with committee members about restaurants desire to place seating outside in the breaks of nice weather. The issue is that there have been no café permits issued as yet. The ordinance states that tables can be placed on the sidewalk as soon as a completed application has been approved and a permit has been issued, then restaurants may place tables on the sidewalk. Mr. Szczepaniak asks what the expectations of the approvals. Mr. Flook states that information determining correct occupancy seems to be what is holding up the applications from being processed to permit, per the PA UCC requirements. A form has been sent out to applicants to simplify this process. Mr. Szczepaniak asks if an entity submitted the same plan for years, does that mean it may not be approved? Mr. Flook states that some of the plans are over allowable occupancy for up to 20-30 people. The Borough can only approve occupancy that the UCC requires. Mr. Szczepaniak clarifies that after this year, whatever that number that is would be the same moving forward. Mr. Flook replied, the only change would be if the code changed. He continues, the permits can be issued as soon as the Borough received all the information that is required to review. These applications have been made priority.

VII. Adjournment 6:29pm

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