

**WEST HANOVER TOWNSHIP
DAUPHIN COUNTY, PENNSYLVANIA**

ORDINANCE 2026-01

**AN ORDINANCE OF THE BOARD OF SUPERVISORS OF WEST
HANOVER TOWNSHIP, DAUPHIN COUNTY, PENNSYLVANIA,
AMENDING SECTIONS OF THE TOWNSHIP ZONING ORDINANCE TO
DEFINE AND ADD SPECIFIC REQUIREMENTS FOR DATA CENTERS
AND BATTERY ENERGY STORAGE SYSTEMS.**

WHEREAS, West Hanover Township, Dauphin County, Pennsylvania (the "Township") is governed by the Pennsylvania Second Class Township Code, 53 P.S. § 65101, *et seq.*, and must comply with Pennsylvania's Municipalities Planning Code, 53 P.S. § 10101, *et seq.* (the "MPC"); and

WHEREAS, Article VI of the Pennsylvania MPC entitled "Zoning," 53 P.S. § 10601, *et seq.*, authorizes the Township to enact, amend and repeal Zoning Ordinances within the Township; and

WHEREAS, Section 609 of the MPC, 53 P.S. § 10609, sets forth the procedures for zoning ordinance amendments; and

WHEREAS, the West Hanover Township Zoning Ordinance is codified as Chapter 195 of the West Hanover Township Code of Ordinances (the "Code"); and

WHEREAS, the Board of Supervisors of the Township desires to add provisions to the Township's Zoning Ordinance ("Zoning Ordinance") relating to Data Centers and Battery Energy Storage Systems; and

WHEREAS, the Board of Supervisors of the Township deems it to be in the best interest and general welfare of the citizens and residents of the Township to update and amend provisions of the Zoning Ordinance to provide for the uses of Data Centers and Battery Energy Storage Systems.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED and it is hereby ordained and enacted by the Board of Supervisors of West Hanover Township, Dauphin County, Pennsylvania as follows:

SECTION 1. Recitals. The above recitals are incorporated herein.

SECTION 2. Amendments. The following amendments are hereby made to the West Hanover Township Zoning Ordinance:

A. Table 3.01, "Permissible Uses," is amended to incorporate the following uses to be permitted by conditional use in the indicated Zoning Districts.

INDUSTRIAL USES [Section 195-3.05 Paragraph (I)]	Industrial Enterprise (IE)
Data Centers	C
Battery Energy Storage Systems	C

B. Section 195-602 of the Code, entitled, "Defined Words and Terms", shall be amended to add the following terms and their definitions:

BATTERY ENERGY STORAGE SYSTEMS (BESS)

A use involving one or more devices, assembled together, capable of storing and discharging electricity primarily intended to supply electricity to a building or to the electrical grid. This includes, but is not limited to, the following: battery cells; enclosures and dedicated-use buildings; thermal, battery, and energy management system components; inverters; access roads; distribution, collection, and feeder lines; wires and cables; conduit; footings; foundations; towers; poles; crossarms; guy lines and anchors; substations; interconnection or switching facilities; circuit breakers and transformers; overhead and underground control, communications and radio relay systems, and telecommunications equipment; utility lines and installations; and accessory equipment and structures.

DATA CENTER

A use involving a building or area within a property in which the majority of the use is for the housing, operation, and/or co-location of computer systems and associated components, including servers, storage devices, networking equipment, and supporting infrastructure such as power supply, cooling systems, and security systems, for storage, management, processing, and/or transmission of digital information necessary for the operation of one or more business, commercial, or governmental entities, primarily to/from offsite locations. This use includes but is not limited to co-location facilities, cloud computing centers, enterprise data centers, crypto mining, high-intensity computer only centers, and similar uses. A Data Center may include limited office space associated with facility operations but does not include general business offices or call centers. This use does not include computers or telecommunications-related equipment that is considered customarily accessory to an otherwise permitted use on the property, i.e., servers associated with an office building, both located on the same property.

C. Table 4.07, entitled "Off-Street Parking Space Requirements", of Section 195-418 of the Code, shall be amended by adding to the Table the following:

Industrial Uses	Required Parking Spaces (Min.)
Data Centers / Battery Energy Storage Systems	1 per employee on the peak shift, plus 1 per vehicle stored on site, plus 10 additional spaces for guest parking

D. Section 195-305(I) of the Code, entitled "Industrial Uses", is hereby amended by adding a new Subsection, 195-305(I)(2)(i) to be read as follows:

i. Data Centers / Battery Energy Storage Systems. Data Centers and Battery Energy Storage Systems are permitted subject to the following criteria:

(1) Data Centers and Battery Energy Storage Systems (BESS) shall be permitted by Conditional Use only in the Industrial Enterprise Zoning District.

(2) In addition to all applicable underlying Zoning District regulations, a Data Center and/or BESS shall meet the following specified design criteria set forth herein. In the event of a conflict between the underlying Zoning District regulations and the design criteria set forth herein, the stricter of such regulations shall apply to the use.

(a) Dimensional Standards

(i) Minimum tract size: Twenty (20) contiguous acres.

(ii) Maximum impervious coverage: Seventy-five percent (75%) of tract area, including all driveways, parking areas, and truck loading areas.

(iii) Maximum gross building coverage: Fifty percent (50%) of tract area.

(iv) No roof-mounted mechanical or accessory equipment shall exceed twenty (20) feet in height from the top edge of the roof.

(b) Height and Setback Requirements: A Data Center or BESS shall adhere to a maximum principal building height of 55 feet. Rooftop mechanical equipment and screening parapets may extend up to 10 feet above the roof deck, provided the equipment is fully screened from public roads and residential properties. A Data Center and/or BESS shall adhere to a minimum setback requirement of at least 300 feet where the Data Center and/or BESS abuts or is adjacent to a residential use or residential zoning district. A Data Center and/or BESS shall adhere to a minimum front setback requirement of at least 75 feet and minimum side and rear setback requirements of at

least 100 feet where the Data Center and/or BESS abuts or is adjacent to other nonresidential uses and/or zoning districts.

(c) Facades

(i) Principal building facades: Principal building facades shall include all building facades visible from public roads. Principal building facades associated with new construction shall meet the following standards:

a. Principal building facades shall avoid the use of undifferentiated surfaces by including at least two of the following design elements: changes in building height; building step-backs or recesses; fenestration; changes in building materials, pattern, texture, or color; or use of accent materials.

b. When a building has more than one principal facade, such principal building facades shall be consistent in terms of design, materials, details, and treatments.

(ii) Facades shall be designed to provide the appearance of an office building or similar professional space as opposed to a structure for the storing or logistics of computer and technological equipment.

(iii) No portion of a building which is visible from a public road, residential use, or residential zone shall be treated with smooth-faced concrete block, tilt-up concrete panels, or prefabricated steel panels. The use of aluminum siding, vinyl siding, corrugated metal siding, or other metal cladding is limited to a maximum surface area of 50% on a principal building facade and 75% on any facades not visible from a public road but visible from a residential use or zone, unless these materials are textured and made visually indistinguishable from other materials such as stone, brick, glass, or wood.

(d) Buffering and Screening:

(i) Standard Minimum Screening: A minimum 30-foot buffer area shall be provided, and shall be required to be maintained in perpetuity, where a Data Center and/or BESS abuts a

residential zone or use or abuts a public roadway, to include side yards. Except to the extent that use of a preexisting screening alternative for some or all the areas required to be screened is permitted under Subsection (ii) of this Section in lieu of the screening requirements of this Subsection (i), the buffer area shall consist of an earthen berm installed in the following manner:

- a. The leading toe of slope shall be no more than ten (10) feet from the property line and shall be installed in a manner that does not change or impede stormwater drainage patterns on adjacent properties.
- b. The height shall be a minimum of 7.5 feet and shall have a 2:1 maximum slope measured from the top leading edge of the berm to the toe of slope. The top of the berm shall be generally flat with a minimum width of 5-feet.
- c. Shall be landscaped with a screen planting located on the top of the berm. Such planting shall be designed by a landscape architect, registered as such with the Commonwealth of Pennsylvania.
- d. Screen plantings shall consist of eight (8) evergreen trees, one (1) deciduous tree, and a total of eight (8) shrubs from two (2) different species, having an equal planting of four (4) plants each, across each one hundred (100) foot section. All plantings shall be of a species native to the region and arranged so as to provide a visual blockage upon plant maturity. Such visual blockage shall be maintained year-round. Evergreen and deciduous tree plantings shall be a minimum of six (6) feet in height at the time of planting.
- e. Screen plantings shall be permanently maintained to provide the minimum required screening at all times.
- f. A sight line plan shall be submitted as part of the Conditional Use filing, showing how these provisions are to be fulfilled and provide a proper screen planting.

- g. Where the submitted sight line plan shows that preexisting vegetation or other conditions in required buffer yard areas of the subject property can achieve the same or greater screening result as these provisions in this Subsection (i), the Board of Supervisors may as part of its Conditional Use decision allow such preexisting vegetation or conditions to remain in place of these requirements and shall require in such decision that such screening be maintained permanently in accordance with Subsection (ii) below.
- (ii) Preexisting Screening Alternative: If the Board of Supervisors as part of the Conditional Use decision determines that preexisting vegetation or other conditions in required buffer yard areas of the subject property can achieve the same or greater result as the Standard Minimum Screening requirements of Subsection (i) above for some or all of the areas required to be screened, the Board of Supervisors may approve the continuation of such preexisting condition in lieu of the installation of the Standard Minimum Screening measures in such areas, subject to at least the following conditions:
 - a. The owner (including owner's successors and assigns with respect to the subject property) shall be required in perpetuity to maintain such preexisting vegetation or conditions to continuously provide the same or greater screening result as would be provided by the Standard Minimum Screening measures provided for in Subsection (i) above.
 - b. In the event that the preexisting vegetation or other conditions ever are diminished or otherwise cease to continue to provide the same or greater screening as provided for by the Standard Minimum Screening measures under Subsection (i) above (for example, if a fire or natural disaster destroyed a preexisting woodland area used as alternative screening), the owner (including owner's successors and assigns with respect to the subject property) shall within one (1) year of such occurrence install screening that

meets at least the requirements of Subsection (i) above.

- c. The owner (including owner's successors and assigns with respect to the subject property) shall be required to record in the Dauphin County Recorder of Deeds Office a restrictive covenant or other instrument in a form approved by the Township that is enforceable by the Township and that cannot be amended or terminated without the written recorded agreement of the Township, setting forth the conditions of this Subsection (ii).

(iii) Screening shall be provided to all Data Center and/or BESS accessory uses and shall include but not be limited to cooling system components including fans, blowers, water or other liquid cooling pumps, and similar systems and components, power supply systems including electrical substations, transformers, fuel cells, generators, and similar systems and components. The requirements shall apply to both ground and roof mounted equipment and components and be in addition to the required buffer yards per Subsections (i) and (ii) above. Additionally:

- a. Screening must be provided on all sides of the structure except when one side is facing and completely enclosed by the primary Data Center building.
- b. For roof mounted screening:
 - 1. Roof mounted screening shall be provided at a minimum height of ten (10) feet and be setback a minimum of five (5) feet from the edge of the roof.
 - 2. All roof mounted screening will be provided with access doors or gates to allow maintenance and emergency access to roof mounted systems.
- c. Absorptive noise reducing barrier screening shall be provided on all sides of equipment that produces sounds

- ≥60 dB to fully encase such equipment and reduce the emitted noise to <60 dB at a distance of 10-feet beyond the screening. Design of the barrier screening shall account for full access for emergency services.
- (iv) Utility substations installed specifically for the transmission of power to a Data Center shall be visually screened with a man-made, opaque barrier at a minimum of twelve (12) feet to lessen visual impact. Such screening shall be provided with proper access and ventilation to allow for the proper maintenance and functioning of the substation.
 - (v) When noise producing equipment is abutting a residential district or use, such equipment shall be placed so that the Data Center is between the affected lot and the equipment.
 - (vi) If the Data Center has more than one (1) lot line that abuts a residential district or use, the sound producing equipment shall be placed on the side of the Data Center that does not abut the residential district or use or the side that has the greatest setback from the affected property line(s).
- (e) Utility Substations: Electrical Substations, other utility substations necessary to serve the Data Center and/or BESS use, and all related structures and appurtenances to the Data Center and/or BESS shall be considered part of the Data Center / BESS Use.
- (f) Exterior Lighting: At a minimum, all exterior lighting shall meet the lighting requirements set forth for the underlying zoning district and shall be required to comply with all applicable lighting requirements set forth in Section 195-415 of the Zoning Ordinance. In addition:
- (i) A photometric plan shall be provided showing all exterior lighting for the Data Center and/or BESS and shall be designed to not produce more than 0.0 footcandles at any abutting lot line. Any intersection of an access drive to a public road where lighting is required for public safety shall be exempt.
 - (ii) Exterior lighting shall not be mounted higher than thirty-five (35) feet on a standard or other freestanding support of the exterior of a structure from the lowest adjacent grade. The fixture shall be fully shielded or cutoff so as to direct light at a downward angle and towards the interior of the lot and not

equal to or higher than the horizontal plane of the bulb, bulb enclosure, or light shielding.

- (iii) No strobing or colored lighting shall be permitted.
 - (iv) No pole-mounted lighting on the roof shall be permitted.
 - (v) LED light sources shall have a correlated color temperature that does not exceed 3000k.
- (g) Hazardous Materials: A Hazardous Materials Plan shall be required to include the following at minimum:
- (i) The Data Center and/or BESS shall not have any tank for the storage of flammable or otherwise hazardous material located within the setback line.
 - (ii) Any storage of hazardous materials must demonstrate compliance with all applicable Pennsylvania Department of Environmental Protection (DEP) standards and shall implement all necessary spill containment systems and environmental protection measures to prevent groundwater or soil contamination.
 - (iii) Evidence must be provided that the Township Emergency Management Coordinator (EMC) and local fire company have been made aware of the potential for hazardous materials on site and any concerns addressed as part of the Plan.
 - (iv) Emergency services, to include Township EMC, fire, police, EMS and other emergency response providers shall be granted full access to site, to include full access in all buildings and accessory uses to conduct training and emergency response on an annual basis, or at a frequency determined by the Township EMC.
- (h) Power Supply: Prior to approval of a land development plan, the applicant shall provide written verification from the applicable power service provider stating the following:
- (i) If the applicant proposes to connect the Data Center to the electric grid, the applicant shall provide documentation from

the applicable electric service provider certifying that capacity is available on the applicable supply lines and substation to ensure that the capacity available to serve the other needs of the service area is consistent with the normal projected growth envisioned by the provider.

- (ii) Utility supply equipment and related electrical infrastructure are sufficiently sized and can safely accommodate the proposed use.
 - (iii) Above-ground utility boxes and other equipment must be co-located and screened.
 - (iv) All utility sites must conform to natural topography and minimize disturbance of steep slopes and natural drainage areas.
- (i) Parking and Loading Areas: Loading docks and truck maneuvering areas shall be setback not less than:
- (i) One hundred (100) feet from any public road right-of-way, non-residential district, or non-residential uses' property lines;
 - (ii) Three hundred (300) feet from residential districts or residential uses' property lines.
- (j) Emergency Management and Response:
- (i) Owners of Data Centers and/or Battery Energy Storage Systems (BESS) shall submit an Emergency Response Plan (ERP) that must:
 - a. Be prepared by a qualified professional.
 - b. Be reviewed and accepted by the local fire company and Township emergency management coordinator as part of the Land Development Plan process.
 - c. Include detailed procedures for fire suppression, containment, ventilation, and evacuation.

- d. The ERP must include an evaluation of the access roads and hydrant locations within the site to ensure suitable access for emergency equipment within the site.
 - e. Ensure that all first responders receive adequate training specific to the installed system.
 - f. Include provisions for annual fire safety inspections demonstrating compliance with fire safety standards to be performed by a qualified professional on behalf of the Data Center and/or BESS. A certified copy of the inspection report shall be provided to the Township EMC within 30 days of issuance.
 - g. BESS sites must be in compliance with NFPA 855 or similar standards and must include fire suppression systems designed specific to battery storage. Documentation must be provided showing coordination with the Township EMC and fire companies.
- (ii) A note shall be added to the Land Development Plan that states "The Township shall not assume liability for the adequacy of the ERP and reserves the right to require additional documentation or certifications to confirm compliance with national standards."
- (k) Traffic Impact: If required by Article IX of the West Hanover Township Subdivision and Land Development Ordinance, applicants must submit a traffic impact study, addressing both daily operational traffic and emergency response access, to demonstrate that the facility will not adversely affect local road capacity.
- (l) Water Supply: A water supply feasibility study shall be prepared to demonstrate that sufficient public water resources are available to serve the proposed use. The applicant shall provide the Township with proof in the form of a will-serve letter from the public water services supplier.
- (i) The use of private wells for the property is prohibited.

- (ii) Water Studies: The water study required by subsection (l) shall contain at a minimum the following information:
- a. Calculations of project peak and annual consumption water demands, including a determination of required fire flows specific to the use.
 - b. A determination of fire flows to meet existing firefighting demands.
 - c. Literature review and reference of published geologic and hydrogeologic reports.
 - d. A geologic map of the area within a minimum of a one (1) mile radius of the proposed property boundaries and site.
 - e. The location of all faults, lineaments and fracture traces on-site and within 0.5 miles of the proposed property boundaries.
 - f. The locations of all existing and proposed wells within 0.5 miles of the site and all large withdrawal wells (one hundred thousand (100,000) gallons per day (gpd)+) within one (1) mile of the site.
 - g. The locations of all monitoring test wells along with the proposed lot boundaries, shall be located on an accurate site plot plan or base map at a minimum scale of one (1) inch to five hundred (500) feet. The number of monitoring test wells shall be determined by the study.
 - h. Define/map the boundary of the surface watershed in which the proposed development is located (use relevant USGS 7.5-minute topographic map, and/or LIDAR, as a base map). The approximate property boundary for the development shall be delineated on this surface watershed map.
 - i. Define known sources of groundwater contamination within this mapped surface watershed boundary.

- j. The location of all known on-lot septic systems within 0.5 miles of the site.
- k. The location of all streams, perennial and intermittent, within 0.5 miles of the site.
- l. Define existing municipal, community, industrial and/or agricultural demands on groundwater resources located within one (1) mile of the proposed development boundaries.
- m. A water-table or potentiometric surface map showing groundwater elevation contours and the direction of groundwater flow.
- n. A description of how the water will be used, including the amount or proportion of water to be used for each purpose (e.g., cooling, humidity control, fire suppression, and domestic usage).
- o. Evaluate the impact of any water, whether used or not used, which is discharged.
- p. Evaluate the potential for groundwater pollution caused by an emergency at the site (fire, chemical release or similar) and plans to put in place during such emergencies to control and mitigate pollution releases.

(m) Noise Control:

- (i) In lieu of the noise standards set forth in Section 195-416 of the Zoning Ordinance, for Data Center and/or BESS uses it shall be demonstrated through a sound study conducted by an independent professional acoustical expert that the sound generated by the Data Center and/or BESS, accessory uses, and associated equipment during operations and testing and maintenance operations (i.e., all standby emergency equipment, including but not limited to generators running or being tested) to a daytime (7:00 AM to 7:00 PM Monday-Friday) and a nighttime (7:00 PM to 7:00 AM Monday-Friday and all day Saturday and all day Sunday) decibel level shall not exceed pre-development ambient noise levels by

greater than 10 dB(A), with a maximum decibel level of 50 dB(A) during daytime hours (as described above) and 40 dB(A) during nighttime hours (as described above), as measured from the property line of the Data Center and/or BESS use. In the event these levels cannot be met unmitigated, or if the proposed site is adjacent to an existing residential use or zone, the installation of one or more sound reducing materials or systems must be utilized to reduce the sound generated to the decibel levels discussed above and shall be approved by the Township Engineer and/or the Township's appropriate professional consultant. Such sound study or studies shall be conducted using Sound Level Meters described in ANSI S1.4-2014 and using generally accepted criteria, including but not limited to a time-weighted average. The maximum decibel level specified herein is exempt during a time of power outage conditioned that the sound study shall also evaluate and report anticipated decibel levels when all Data Center and/or BESS equipment is running; however, the exemption from the above decibel levels shall be lifted three (3) hours after the outage ends. A sound study shall be conducted at the following phases:

- a. A preliminary sound study for the Data Center and/or BESS and associated equipment shall be conducted prior to preliminary approval for the development of the Data Center and/or BESS. The preliminary sound study shall recommend the sound reducing materials or systems to meet the aforesaid sound limits. Additionally, the study shall include a frequency analysis and evaluate vibration impacts as part of the noise impact assessment.
 1. The frequency analysis shall include measurements across octave or 1/3 octave bands, consistent with ANSI S1.11 or an equivalent standard.
 2. The frequency analysis shall demonstrate compliance with property line sound limits across all relevant frequency bands under typical operating conditions.

- b. An interim sound study shall be conducted during the building permit process and prior to the issuance of a building permit based upon the proposed user or users of the Data Center and/or BESS and associated equipment depicted on the building plans. The sound reducing materials or systems recommended by the interim sound study shall be incorporated into the construction plans for the Data Center and/or BESS.
- c. An as-built sound study shall be conducted and issued to the Township six (6) months after issuance of the certificate of occupancy for any Data Center and/or BESS and associated equipment and annually every year thereafter while the site is in operation. If it is determined by the as-built sound study that there is a violation of the aforesaid sound limits, then the owner or occupant of the Data Center and/or BESS shall promptly remediate the violation into compliance with the aforesaid sound limits. The as-built sound study shall confirm compliance with the sound limits and frequency analysis requirements established in the preliminary sound study, including measurements across octave or 1/3 octave bands consistent with ANSI S1.11 or an equivalent standard.
- d. The costs for the preliminary, interim, and as-built sound studies will be incurred by the applicant. Should additional sound studies be conducted by the Township, the costs the Township incurs related to such additional studies will be reimbursed to the Township by the applicant if such studies demonstrate that the site is violating the required Noise Control parameters described above.
- e. In order to limit the effects of sound during a time of local or regional power outage:
 - 1. Redundant/backup power supplies (generators, batteries, etc.) shall be surrounded by absorptive noise barriers, sound walls, or similar structures of minimum height two (2) feet higher than the

power supply itself. These barriers, walls, etc. may be combined with any architectural paneling, screening, and/or cover requirements that may also apply. Location and design of these barriers, walls, etc. shall include consideration for emergency service access.

- (n) **Vibration/Electromagnetic/Low Frequency Study:** A Vibration/Electromagnetic/Low Frequency Study shall be provided that demonstrates: (1) that the proposed use will not create ground vibration that is perceptible, without instruments, at any point of any property line of the lot on which the use is located (vibrations from temporary construction and vehicles which leave the lot are excluded); (2) that no electromagnetic waves emanating from the proposed use will extend past a property line; and (3) that low frequencies ≤ 20 hz are at acceptable levels that do not exceed 60 dB past a property line. This study shall be prepared by an independent qualified professional. Prior to building permit issuance, the applicant shall establish baseline seismograph readings at property lines consistent with reasonable industry standards and submit certification that installed equipment complies with FCC Part 15 or equivalent EMI standards. Within six (6) months after issuance of the certificate of occupancy, and annually every year thereafter while the site is in operation, the owner shall file a post-commissioning compliance report. Any exceedances shall be corrected within sixty (60) days.
- (o) **Wastewater Management:** The applicant shall demonstrate to the Township that adequate means of wastewater disposal (including both domestic wastewater as well as any wastewater used for cooling or industrial purposes) have been provided for and approved by the Sewage Enforcement Officer, DEP, and the West Hanover Township Water and Sewer Authority, where appropriate. If wastewater is proposed to be treated by the sanitary sewer system:
 - (i) Evidence must be provided that the receiving wastewater collection system and wastewater treatment plant have the means to handle the additional flow and to adequately treat the discharged water.

- (ii) The applicant shall provide the Township with proof in the form of a will-serve letter. The appropriate authority may require metering of water being discharged into its system.
- (p) Landscaping and Site Design: In addition to other requirements, 33% of all lawn, open, non-wooded, and/or pervious space shall utilize a combination of trees, non-turf-grass lawns, and meadow plantings to soften the appearance of buildings and integrate them with their surroundings. Every area landscaped in this manner shall include elements of each of these three items (trees, non-turf-grass lawns, and meadow plantings).
- (q) Access and Security
 - (i) Primary access shall be from an arterial or collector street.
 - (ii) Any gated emergency access or secondary access shall be fitted with a "knox-box" type device as approved by the fire company.
 - (iii) All fencing, including security fencing, may not exceed ten (10) feet in height at the highest point of the fencing or any appendages, including but not limited to barbed wire.
 - (iv) All access roads, including emergency access roads, shall have a total lane width of not less than twenty-six (26) feet, excluding any on-street parking areas and shoulders.
 - (v) A minimum of one (1) fire lane intended for aerial apparatus access to roof structures shall be provided. The lane shall be:
 - a. A minimum of twenty-six (26) feet wide restricted to travel and not including any on-street parking areas or shoulder;
 - b. Clearly identified with ground markings and post-mounted signs;
 - c. Free from any overhead obstructions; and
 - d. Able to access the area not less than fifteen (15) feet nor greater than thirty (30) feet from the Data Center

and/or BESS and be on the same side of the structure as the access road.

- (vi) A traffic control plan showing planned construction routes for the duration of construction shall be submitted as part of the Conditional Use submission for review. All traffic for the purpose of construction of a Data Center shall access the site via an arterial or collector road and minor or secondary streets, to the greatest extent possible.
 - (vii) Each Data Center primary and secondary access point, including emergency access routes, shall provide signage detailing the twenty-four (24) hour emergency contact for the site, including name and twenty-four (24) hour phone number, and include the following: company name (if applicable), owner or representative's name, owner or representative's phone number, name of the power company or utility, and emergency contact phone number for the power company or utility.
- (r.) Threatened and Endangered Species
- (i) A Pennsylvania Natural Heritage Program study (PNDI receipt) dated within two (2) years of the submission of an application of conditional use, as well as any state agency clearance letters required thereby, shall be provided to the Township.
 - (ii) The applicant shall comply with all measures directed by the clearance letters to avoid, minimize, or mitigate impacts to endangered, threatened, and special concern species and their habitat.
- (s.) Decommissioning Plan
- (i) A decommissioning plan that ensures the return of all participating properties to a useful condition, including removal of above-surface facilities that have no ongoing purpose, shall be provided by the applicant as part of any land development submission.

- (ii) The decommissioning plan shall include, but not be limited to, financial assurance in the form of a bond, a parent company guarantee, or an irrevocable letter of credit, but excluding cash, to be determined by the applicant. The amount of the financial assurance shall not be less than the estimated cost of decommissioning the facility, after deducting salvage or recycling value, as calculated by a third party with expertise in decommissioning, hired by the owner.
 - (iii) In no event shall the security be less than one hundred twenty-five percent (125%) of the estimated cost of decommissioning. The owner shall provide a new estimate of the cost of decommissioning every ten (10) years thereafter and increase its security if the cost increases.
 - (iv) The Township is granted the right to seek injunctive relief to effect or complete decommissioning, as well as the right to seek reimbursement from the owner or owner successor for decommissioning costs in excess of the financial assurance and to file a lien against any real estate owned by the owner or owner successor, or in which they have an interest, for the amount of the excess, and to take all steps allowed by law to enforce said lien.
- (3) Annual Operating Compliance Report (AOCR). On or before March 31 each year, the owner shall submit an AOCR documenting compliance with water-use reporting, including an updated water supply feasibility study, a copy of the most recent sound study, a copy of the most recent Vibration/Electromagnetic/Low Frequency study, a copy of the most recent annual fire safety inspection report, a copy of the most recent hazardous mitigation plan, documentation of any changes of use in the facilities, documentation of major maintenance to include equipment replacement, major equipment upgrades and general compliance with the requirements of this ordinance.

SECTION 3. Repealer. All prior ordinances or parts of ordinances inconsistent herewith are hereby repealed to the extent they are inconsistent with this Ordinance. Except as expressly amended, nothing herein shall be deemed to affect or alter any other provision of the West Hanover Township Zoning Ordinance.

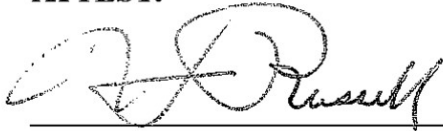
SECTION 4. Savings Clause. In all other respects, the West Hanover Township Zoning Ordinance shall remain as previously enacted and ordained.

SECTION 5. Severability. If any section, subsection, sentence, clause, phrase, or word of this Ordinance is for any reason held to be illegal or invalid by any court or administrative agency of competent jurisdiction, such illegal or invalid portion or provision shall be severable and shall not affect or impair any remaining portion of this Ordinance or the West Hanover Township Zoning Ordinance, which shall remain in full force and effect.

SECTION 6. Effective Date. This Ordinance shall be effective in accordance with law.

DULY ENACTED AND ORDAINED this 23rd day of July 2026 by the Board of Supervisors of West Hanover Township, Dauphin County, Pennsylvania, in lawful session duly assembled.

ATTEST:



Harrison S. Russell, P.E., Manager

WEST HANOVER TOWNSHIP



Erich Bair, Chairman

(SEAL)