TOWNSHIP OF QUINTON
COUNTY OF SALEM
STATE OF NEW JERSEY
ORDINANCE NO. 2026-05

AN ORDINANCE AMENDING QUINTON TOWNSHIP CODE CHAPTER 170 "LAND USE" TO CONFIRM THAT DATA CENTERS ARE PROHIBITED USES/STRUCTURES IN ALL ZONING DISTRICTS; TO LIST THEM SPECFICALLY AS SUCH; AND TO DISTINGUISH THEM FROM "COMPUTER CENTERS"

WHEREAS, the Quinton Township Committee is aware of facilities that are commonly known as "data centers," and sometimes referred to "internet data centers" or "cloud data centers," that are utilized to house computer systems and associated components such as telecommunication and data storage systems, redundant or "backup" components, infrastructure for power supply, data communication connections, environmental and safety controls for building climate, equipment cooling, and fire suppression, and security devices, systems, and installations, for the purpose of aggregating collective computing demands for cloud services, video streaming, blockchain and crypto mining, artificial intelligence and machine learning, virtual reality, and other data maintenance and transmission purposes; and

WHEREAS, the Quinton Township Committee is aware of growing public concerns about data centers and their potential environmental and socioeconomic impacts, including but not limited to high electricity and water consumption that can result in electrical grid overload and outages, increased consumer energy prices, and aquifer depletion; heat generation; interference with cellular and wireless communications; and disturbing, disruptive ambient noise; and

WHEREAS, neither data centers as described above, nor any similar types of functionally-equivalent but differently-named facilities, have been recommended or otherwise designated as permitted or conditionally-permitted uses or structures in the Quinton Township Master Plan; nor are data centers or similar facilities listed as permitted or conditionally-permitted uses or structures in any of Quinton Township's zoning districts; nor are data centers or similar facilities included within any current category or classification of permitted or conditionally-permitted uses or structures in any of Quinton Township's zoning districts; and

WHEREAS, for the foregoing reasons "data centers" as described above are not and have never been permitted or conditionally-permitted by right in any Quinton Township zoning district; and

WHEREAS, subsection A. of § 170-14 of Part 2 "Zoning" of Quinton Township Code Chapter 170 "Land Use," which is entitled "Prohibited Uses; construal of provisions," provides that "Any use not permitted by this Part 2 shall be deemed to be prohibited"; and

WHEREAS, the Township Committee is aware that, more than nine years ago, on February 14, 2017, the Quinton Township Planning Board granted site plan approval for a 20,000 square foot one-story "data center" building (which was never constructed, but which would have been operated and maintained by two full-time empoloyees for "cloud" storage of data for off-site customers) as a "computer center" in the LIO Light Industrial/Office zoning district; however, the Township Committee has determined that, despite the aforesaid Planning Board approval, a "data center," as currently understood and described above, is not a permitted or conditionally-permitted "computer center" as listed in the LIO district regulations because, unlike data centers as currently

understood and described above, a "computer center" is a facility that houses individual computers and their associated components at which users convene in-person to engage in on-site use of on-site workstations in an office or laboratory ("computer lab") setting for research and other endeavors of a business, professional, scientific, or academic nature; and

WHEREAS, subsections C. and D. of aforesaid § 170-14 list two (2) uses that are specifically prohibited in all of Quinton Township's zoning districts; and

WHEREAS, given the growing public concern about data centers and their potentially detrimental environmental and socioeconomic impacts, and the need to learn more about them before determining whether or subject to what conditions they might be permitted in any of Quinton Township's zoning districts, the Quinton Township Committee has deemed it necessary and appropriate to state clearly in the Quinton Township Code that data centers are, and shall continue to be, prohibited uses/structures in all of Quinton Township's zoning districts unless and until they can be recommended in Quinton Township's Master Plan, and appropriately designated as permitted or conditionally-permitted uses/structures in any one or more of Quinton Township's zoning districts; and

WHEREAS, to prevent future misunderstandings about the fact that "data centers" are not "computer centers" for purposes of the Quinton Township Code, the Quinton Township Committee has deemed it necessary and appropriate to define the term "computer center" in Chapter 170 "Land Use" as set forth above;

NOW THEREFORE BE IT ORDAINED, by the Township Committee of the Township of Quinton, in the County of Salem, State of New Jersey, as follows:

1. Section 170-14 of Part 2 "Zoning" of Quinton Township Code Chapter 170 "Land Use," entitled "Prohibited Uses; construal of provisions" is hereby amended to include the following additional (third) specifically-listed prohibited use as subsection E.:

   E. "Data centers," as commonly known, and as sometimes referred to as "internet data centers" or "cloud data centers" (and any and all functionally-equivalent but differently-named uses, structures and facilities) that house computer systems and include associated components such as telecommunication and data storage systems; redundant or "backup" power and data storage components; electrical transformers, substations, and other power supply infrastructure; data communication connections; environmental and safety controls for building climate, equipment cooling, and fire suppression; and security devices, systems, and installations, to serve as off-site or remote accessory facilities available and accessible to users via telecommunication or internet utilities for the purpose of aggregating collective computing demands for cloud services, video streaming, blockchain

and crypto mining, artificial intelligence and machine learning, virtual reality, and other internet, telecommunication, computing, and data storage, maintenance, processing, and transmission purposes.

2. Section 170-7.C. of Part 1, Article II of Quinton Township Code Chapter 170 entitled "Definitions" is hereby amended to include the following definition of "computer center":

   COMPUTER CENTER

   A facility that houses individual computers and their associated components at which users convene in-person to engage in on-site use of on-site workstations in an office or laboratory ("computer lab") setting for research and other endeavors of a business, professional, scientific, or academic nature. The term "computer center" does not include "data centers" as described and defined in §170-14.E. of this Chapter.

3. The Quinton Township Acting Clerk is directed to give notice of this Ordinance pursuant to *N.J.S.A.* 40:55D-15 to the Clerks of all municipalities adjoining Quinton Township and to the Salem County Planning Board at least ten (10) days prior to the date scheduled for hearing on the adoption of this Ordinance.

4. If any section, paragraph, subsection, clause or provision of this Ordinance shall be adjudged invalid by a court of competent jurisdiction, such adjudication shall apply only to the section, paragraph subsection, clause or provision so adjudged, and the remainder of the Ordinance shall be deemed valid and effective.

5. Any article, section, paragraph, subsection, clause, or other provision of the Quinton Township Code that is inconsistent with the provisions of this Ordinance is hereby repealed to the extent of such inconsistency.

6. This Ordinance shall, following adoption and publication in accordance with the laws of the State of New Jersey, take effect immediately upon its filing with the Salem County Planning Board pursuant to *N.J.S.A.* 40:55D-16.

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NOTICE

Notice is hereby given that the foregoing proposed Ordinance No. 2026-05 was introduced and passed on first reading by the Township Committee of the Township of Quinton, County of Salem, State of New Jersey, at a regular meeting held on April 7, 2026. A second reading and public hearing on the foregoing Ordinance will be conducted by the Township Committee at a regular meeting to be held on May 5, 2026, at 6:00 p.m., at the Quinton Township Municipal Building, 885 Salem Quinton Road (Route 49), Salem, New Jersey 08079, after which the Ordinance will be considered for final passage.

ATTEST:

Melissa Thom, Deputy Clerk

Joseph Hannagan Jr., Mayor

CERTIFICATION

I, Emily Thalwitzer hereby certify the above to be a true copy of an Ordinance introduced and passed by the Quinton Township Committee on second reading following a public hearing at a regular meeting held on May 5, 2026.

Melissa Thom, Deputy Clerk

DATE: 5/5/26