

**SPRINGDALE BOROUGH, ALLEGHENY COUNTY**

**PRESS RELEASE**

**DECEMBER 9, 2025**

**Springdale Borough Zoning Hearing Board approved six dimensional variances for the proposed Allegheny DC Properties LLC for a parcel formerly known as the site of the Cheswick Power Station. The 3-0 decision was approved on December 6, 2025 and a copy of the decision is available at the Borough office and posted on the Borough of Springdale website.**

**Terry Carcella**

**Borough Manager / Zoning Officer**

**BEFORE THE BOROUGH OF SPRINGDALE  
ZONING HEARING BOARD**

In Re: Application of  
Allegheny DC Property Co.

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Hearing Date: October 22, 2025

**FINDINGS OF FACT, CONCLUSIONS OF LAW AND DECISION**

The Zoning Hearing Board of the Borough of Springdale, Allegheny County, hereby publishes the following Findings of Fact, Conclusions of Law and Decision of granting of the variance for Allegheny DC Property Company LLC (Allegheny DC) for 151 Porter Street, Springdale, PA with conditions:

**BACKGROUND**

Allegheny DC Property Company LLC (Allegheny DC) filed an application for conditional use approval dated August 29, 2025, through their attorneys, Babst, Calland, Clements & Zomnir, PC. In the application, Allegheny DC demonstrated standing via a Real Estate Purchase and Sales Agreement with Cheswick Plant Environmental Redevelopment Group, LLC, for the property of 151 Porter Street, Springdale, consisting of 7 parcels as identified in the application coordinating to 7 registered parcels with Allegheny County.

The property in question is commonly known as the former Cheswick Power Station consisting of approximately 47 acres in the Industrial Zoning District.

In the application, Allegheny DC requested 6 variances, which are the subject of this Decision and subject to the jurisdiction of the Springdale Zoning Hearing Board. In the application, Allegheny DC stated they were planning on using the property “as a generation data center, specifically architected and engineered for the development of artificial intelligence software and services (Data Center).”

In addition, contemporaneous with the Zoning Hearing Board requests, Allegheny DC also sought use approval and/or recommendations through the Springdale Planning Commission to then be referred to Borough Council.

At the time of the Zoning Hearing Board hearing, there was a formal objector who was represented by counsel and was permitted to cross-examine each witness. Since the time of the hearing, the objector, Mitchell Karaica, through counsel, Thomas Kloehn, Esq., has withdrawn. Said withdrawal coming before each parties proposed Findings of Fact and Conclusion of Law were due and, as such, the only proposed findings were submitted by counsel for Allegheny DC. Nonetheless, this Board has received the testimony of the objector and observed the cross-examination of witnesses by counsel and in deliberations, the Zoning Hearing Board accorded such testimony, all consideration, weight and credibility determinations as it has done for all parties testifying.

#### **THE REQUESTED VARIANCES**

1. A variance from Section 490 Attachment 1, "Table of Yard and Area Requirements" to allow an increase in allowable building height from 45 feet to 60 feet, maximum.
2. A variance from Section 490-7, "Definitions", to allow an increase in allowable equipment height from 60 feet to 75 feet, maximum.
3. A variance from Section 490-23.B(4)(a), "Off-street parking requirements, Size", to allow a reduction in conventional parking stall dimensions from 10' wide x 20' long, to 9' wide x 18' long and handicapped parking stall dimensions from 15' wide x 20' long to 13' wide x 18' long for non-van spaces and 16' wide by 18' long for van spaces.
4. A variance from Section 490-23.B(4)(b), "Off-street parking requirements, Design", to allow a reduction in interior parking aisles width from 25' to 24'.

5. A variance from Section 490-24.C, "Off-street loading requirements, Required off-street loading spaces", to allow a reduction in the number of off-street loading spaces from 59 as required for manufacturing, business, or professional offices, to 4 as will be required for operation of the Data Center.

6. A variance from Section 490-21.A(5), "Fencing and screening; retaining walls, placement, materials, height", to allow an increase in maximum allowable fence height from 7 feet to 8 feet to accommodate security fence around the perimeter of the site.

#### **SUMMARY OF HEARING AND EVIDENCE PRESENTED**

1. At the time of the hearing, all three Board members were present along with the appointed alternate member constituting a quorum of the Board. The Board reorganized and thereafter held the aforesaid hearing.

2. The hearing on the application, after being duly advertised, was held before the Borough on October 22, 2025.

3. The applicant, through counsel, presented three witnesses, Paul D'Onofrio, Robert Maloney and Mark Laborte. Each of the witnesses was found to be credentialed in the area of their respective testimony and each was found to be credible despite being cross-examined during the hearing.

4. Mr. D'Onofrio's testimony addressed the 6 variance requests in one manner or another touching on all the traditional criteria used to grant these types of variance requests.

5. For each variance requested, Mr. D'Onofrio, along with the other witnesses of the applicant, addressed the criteria that enables the granting of the variances together with reasonable conditions, excepting the off-street parking requirement "size."

6. The parking size requirement ruling was withheld to which allow the applicant to provide verification outside the hearing as to current industrial standards. Those standards have

been provided by the applicant, fact checked and subsequently found to be applicable and therefore relevant towards the variance request.

7. During Mr. D'Onofrio's cross examination as well as citizens' comments, several matters were elicited that did not impinge upon his credibility but, nonetheless, merit special Board consideration, including but not limited to, Tawney Run and the floodplain, the Veteran's Memorial, St. Mark's Cemetery, the Rachel Carson trail and a Coal Miner's Monument.

8. The next witness offered by Allegheny DC was Robert Maloney of Jacobs Engineering, who the Board recognized as an expert in landscape architecture.

9. The Board, despite cross examination and testimony of the then objector as well as citizens' comments, found Mr. Maloney's testimony to be credible.

10. The majority of Mr. Maloney's testimony involved sight lines, natural sound and sight barriers involving trees and other landscaping that would enhance the aesthetics of the project in such a manner that over time the landscaping would allow for aesthetically pleasing barriers of sufficient height that would appear natural. It was found this would enhance the overall project and assist in addressing other concerns such as security and noise while making the project appear to be to the extent possible, a natural setting.

11. It was specifically noted that the landscaping would use native trees and shrubs which the Board recognizes have the best long-term prospect for survival and growth to meet the intended use and Mr. Maloney will select these items and place them in a pattern or array designed to meet the characteristics stated in his testimony.

12. In addition, Mr. Maloney's testimony was found to buttress that of Mr. D'Onofrio and enhance credibility to the entire application of Allegheny DC.

13. The final witness of Allegheny DC was Mark Laborte of Jacobs Engineering, who the Board recognized as an expert in Civil Engineering.

14. The Board, despite cross-examination and testimony of the then objector as well as citizens' comments, found Mr. Laborte's testimony to be credible.

15. Mr. Laborte's testimony, for the most part, was to buttress the testimony of the prior witnesses which it, in fact did, particularly as to how and why the variances should be granted and this testimony, including some cost-benefit analysis, all of which support the project.

16. In regards to the exhibits presented, the Board finds those exhibits, all of which were admitted, to be highly probative to the Board. Since the exhibits were offered in a binder together with excerpts of the Springdale Zoning Code and map as well as the resumes of Paul D'Onofrio and Mark Laborte, the entire binder labeled, "Before the Springdale Borough Zoning Hearing Board," shall become part of this written decision up to the extent any portion conflicts with this written decision and in the event there is any such conflict, the written decision of the Board shall control.

17. After the third witness and cross-examination thereof, Allegheny DC closed their presentation.

18. At this juncture, the then objector, Mitchell Karaica appeared and testified under examination of his counsel, Thomas L. Kloehn, Esquire.

19. Despite later withdrawing his status as objector, the Board finds the testimony offered is properly before the Board, is part of the record and deserves all due consideration.

20. Mr. Karaica is a resident of Springdale Borough, living adjacent to the proposed data center.

21. Mr. Karaica's testimony was found to be credible. He stated a number of concerns, including but not limited to, lighting, sight lines, and other items. Said testimony when considered, was found to be relevant. It is also subjective without any specific evidence to underlie his concerns.

22. As a citizen and neighbor, Mr. Karaica's testimony and concerns will be honored regardless of the decision either to deny the request of Allegheny DC or grant those requests along with special conditions.

23. Of special note is that Mr. Karaica purchased his property when the site, which is under consideration, had an active coal fired power plant and that he lived there subject to the footprint and environmental conditions of the power plant and those of the related infrastructure. Much of that infrastructure continues on or about this area.

24. A number of citizens all testified credibly about their concerns. The testimony, although lacking objective facts, will be honored regardless of the decision herein, as it is the duty of the Board to consider any relevant factor applicable to the consideration of variance matters.

### DECISION

**Decision: The Application for the six variances is hereby APPROVED in total and each variance is subject to all the specific and general conditions set forth below. The Zoning Hearing Board in approving the dimensional variances does not concur that these are "minor" dimensional variances and recommends the Zoning Officer ensure strict compliance with this Board's decision and the conditions set forth.**

1. In granting the variance to allow a building height of 60 maximum feet, the Board recognizes there are already structures within the Borough that exceed that height.

To ensure site lines are maintained whenever possible, the overall building design shall be built in such a manner that the tallest portions of the building be stepped back towards the center of the building.

2. The variance to allow equipment height to be up to 75 feet is granted.

It is clearly understood by this Board that this is to allow for the use of back-up power generators. As this involves a noise issue, these generators shall not exceed the applicable

noise levels prescribed in the code, and operated in a manner that allows for the quiet and enjoyment of the citizens.

Furthermore, the Zoning Hearing Board is well aware of the published recommendations of the Planning Commission and through the Zoning Hearing Board's deliberative process, observed the 18 consented to conditions as enumerated including, but not limited to, sound baffling, alternate testing times of generators, and limited use are consistent with the Zoning Hearing Board's deliberation and are hereby adopted in total, as to all 6 variances requested from the Zoning Hearing Board and are attached as Exhibit 1 and incorporated into this Decision.

3-5. Variances 3 through 5 are approved based on current standards and the limited number of employee occupants. In addition to those conditions expressed and adopted here in Exhibit 1, the following conditions are conditions precedent to this granting.

a) EMS/Fire/Safety inspections must occur before operation and annually thereafter in and about the building, the property, the fuel depot and all areas of the project and it is further recommended a fee structure be implemented and assessed for the cost of said inspections.

b) Any future change or upgrade in capacity for electric or computing presently proposed or anytime thereafter shall be disclosed in advance and that plan approved by the Zoning Officer, and if disapproved, sent to the Zoning Hearing Board in accordance with the law.

c) Where variances 3 through 5 are loading, parking and sizing issues, it is the position of the Zoning Hearing Board that during the construction phase, all construction traffic and parking shall be monitored. Furthermore, this shall extend to all contractors, sub-contractors and individuals as a party to the transaction. This shall include ensuring there is no parking on private property without prior approval. The Zoning Hearing Board specifically finds that

construction and related vehicles shall be scheduled to limit the impact to local traffic and provide and publish to the public notice of construction traffic times, routes and vehicular size.

In addition, a construction schedule shall be implemented that takes into effect the impact on the community in order to reduce said impact to include all traffic, school traffic and pedestrians to ensure their safety.

Finally, it is strongly recommended that the developer use the Allegheny River when possible for any and all construction purposes, deliveries and routing.

6. Fencing. The specific findings regarding fencing are adopted from those of the Planning Commission. However, any enforcement shall be by the Zoning Officer who shall be consulted prior to installation regarding the aesthetics of the fence such as color, minor design changes and service entrances or exits. Additionally, the color should be uniform with the exception that if memorials or other structures abut the fencing, other colors can if selected by the Zoning Officer be used; such as, red, white and blue for our honored forefathers if the parties agree.

#### **OVERALL GENERAL CONDITIONS**

1. As to Tawney Run and the Rachel Carson trail, these areas are to be kept litter free and to the extent possible remove invasive vegetation.

2. Tawney Run shall be maintained in such a manner so that it shall be free flowing so as to avoid flooding.

3. Any and all trees and vegetation to be planted shall be native to this region to ensure their vibrancy and to further the architectural landscape plan.

4. Any use of the property involving the Rachel Carson Trail, St. Mark's Cemetery and the Miner's Memorial shall be given proper deference in use and allow for continued maintenance as needed.

**BOARD RESERVATION**

**It is specifically understood this decision and all decisions of the Zoning Hearing Board are based of the unique circumstances and facts placed into evidence. As such, this decision shall have presidential value or of any value in future decisions or appeals from or to the Zoning Hearing Board.**

12-6-25  
Date  
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12-6-25  
Date

BY THE SPRINGDALE BOROUGH  
ZONING HEARING BOARD

David Wessel  
David Wessel, Chair  
Paul Perriello  
Paul Perriello, Vice Chair  
Debora Stresky  
Debora Stresky, Secretary