3rd

Date of Revision: May 18, 2026

Exhibit #3

Revised Proposed Curative Amendment:

TOWNSHIP OF GREGG
UNION COUNTY, PENNSYLVANIA

ORDINANCE NO. _____

AN ORDINANCE AMENDING THE GREGG TOWNSHIP ZONING ORDINANCE TO ADD REGULATIONS GOVERNING DATA CENTER USE AND DATA CENTER ACCESSORY USES

BE IT ORDAINED AND RESOLVED, following proper public notice and public hearing, it is hereby ordained and resolved by the Board of Supervisors of the Township of Gregg, County of Union, Commonwealth of Pennsylvania, as follows:

I. SHORT TITLE

This Ordinance shall be known as the 2026 Data Center Amendment to the Gregg Zoning Ordinance, and shall be incorporated into the Gregg Township Zoning Ordinance.

II. ORDINANCE AMENDMENTS

1. **Amend**: Article 15, Supplemental Lot Criteria, to **replace** the Maximum Permitted Sound Pressure Levels table with the following:

Maximum Permitted Sound Pressure Levels

Octave Band Center Frequency (Hz)	Maximum Sound Pressure Level (dB)
31.5	67
63	67
125	67
250	59
500	52
1000	46
2000	40
4000	34
8000	32

In addition, the overall sound level shall not exceed a 30 minute Leq of 55 dBA.

2. **Amend**: Article 2, Section 2.2, Definitions of Terms, to **add** the following definitions:

"DATA CENTER": A building or buildings which are occupied primarily by computers and/or telecommunications and related equipment where digital information is processed, transferred

and/or stored, primarily to and from offsite locations. This use does not include computers or telecommunications related equipment that is secondary and customarily incidental to an otherwise permitted use on the property, such as servers associated with an office building. This use shall also include cryptocurrency mining, blockchain transaction processing, and server farms. A Data Center may include Data Center Accessory Uses.

"DATA CENTER ACCESSORY USE": Ancillary uses or structures secondary and incidental to a Data Center use, including but not limited to: administrative, logistical, fiber optic, storage, and security buildings or structures; sources of electrical power such as generators used to provide temporary power when the main source of power is interrupted; electrical substations; utility lines; domestic and non-contact cooling water and wastewater treatment facilities; water holding facilities; pump stations; water towers; environmental controls (air conditioning or cooling towers, fire suppression, and related equipment); security features, provided such data center accessory uses/structures are located on the same tract or assemblage of adjacent parcels developed as a unified development with a Data Center. The use shall not include energy generation systems used or intended to be used to supply power to the Data Center during normal operations.

3. **Amend**: Article 10, Section 10.2, Use Regulations for the Commercial Manufacturing District, Section 10.2.1, Permitted Uses, to **add** a Section 10.2.1.24:

10.2.1.24 Data Center Use and/or Data Center Accessory Use.

4. **Amend**: Article 16, Supplemental Use Criteria, to **add** a Section 16.20:

Section 16.20 Data Center Use and Data Center Accessory Use:

The following supplemental use criteria shall apply to Data Center Use and Data Center Accessory Uses:

1. The dimensional standards of Data Centers and Data Center Accessory Uses shall be in accordance with the existing standards where the uses are proposed (CM District), except as set forth herein.

2. Data Centers shall be set back a minimum of 300~~200~~ feet and Data Center Accessory Uses shall be set back a minimum of 200 feet from the property boundary of any adjoining residential zoning district or any adjoining residential property. When the residential zoning district or adjacent residential property is separated by US Route 15 or other federal or state highway, Data Centers shall be set back a minimum of 200 feet and the Data Center Accessory Uses shall be set back a minimum of 100 feet from the property boundary of any adjoining residential zoning district or any adjoining residential property

The setback may include property located in a more restrictive zoning district provided said property part of or contiguous to the property on which the Data Center use or Accessory Data Center use is to be located and is owned by Applicant and no building or structures related

to the Data Center use or Accessory Data Center use are located within the required setback and provided that the distance between the Data Center use or Accessory Data Center use) and the property line meets or exceeds the required setback. The required setback shall remain free of buildings associated with the Data Center or Accessory Data Center use, but may include the following: (1) landscape buffers; (2) fencing and security features; (3) stormwater management facilities; or (4) utility crossings, other easements, and right of ways where necessary

3. Data Center Accessory Uses shall be set back a minimum of 100 feet from any road frontage ~~and any adjoining residential zoning district or property~~ and 50 feet from all other property lines.

4. The minimum parking requirement shall be one (1) space per eight thousand (8,000) square feet of floor area, or one (1) space for every one (1) employee based upon the maximum number of employees onsite during the largest shift, whichever is lesser.

5. The minimum loading space requirement shall be one (1) space per Data Center building.

6. Landscape Buffer.

(a). A landscape buffer is required between Data Centers and Data Center Accessory uses and any adjoining residential properties to mitigate visual impacts. The landscape buffer shall comply with the following requirements

(b). The landscape buffer shall be two (2) rows of large evergreen trees with a distance of twenty (20) feet apart, for a total landscape buffer width of forty (40) feet with~~and~~ each row will be staggered in width and may be part of the minimum setback distance. The size of at planting of any selected ~~large~~ evergreen trees shall be established by a registered landscape architect to maximize tree health and growth. ~~be a minimum of eight (8) feet in height at the time of planting.~~ In those areas where a vegetative landscape buffer is not possible due to site conditions, opaque fencing or other physical barriers may be substituted and submitted for approval by the Board of Supervisors as part of land development approval.

(c). The landscape buffer shall be free of dumpsters, storage or display areas, signs, materials, loading or unloading areas, and vehicle parking.

(d). Species of plantings selected should prioritize native trees and plants with the selection and variation of species to be prepared by a registered landscape architect and approved by the Board of Supervisors as part of land development plan approval.

(~~d~~e). In the event that existing topography and/or vegetation are adequate to meet the intent of the required buffer yard, such existing topography and/or vegetation may constitute all or part of the required buffer yard.

(~~e~~f). All buffer yard plantings shall be perpetually maintained by the Data Center or Accessory Data Center property owner. Any plant material that dies, is removed, is diseased, or

is severely damaged shall be replaced by the current property owner, on a one-to-one basis, as soon as is practical considering growing seasons, within a maximum of 180 days or the next appropriate planting season.

(~~f~~g). All buffer yard screening shall be assured by a performance guarantee posted with the Gregg Township Board of Supervisors in an amount equal to the estimated cost of all such trees, shrubs, plantings, and installation. Such guarantee may be reduced or partially released upon satisfactory installation, with final release after passage of the second growing season following planting.

7. Ground-mounted and roof-mounted equipment within 200 feet of a public roadway or residential property must be fully enclosed or screened.

8. Noise.

(1). In order to ensure that Data Center and Accessory Data Center uses do not contribute to noise pollution within the township, all Data Center and Accessory Data Center uses shall comply with the following standards:

(a). Data Center operations shall be held to the Township's maximum permitted sound pressure levels set in section 15.9.4.1 of the Zoning Ordinance as measured at any property boundary between Data Center site and adjoining properties that are zoned Woodland Preservation, Rural Residential, Village, Institutional or Commercial.

(b). Noise occurring at any property boundary between the site and properties that are zoned Commercial Manufacturing ~~or Agricultural~~ shall be given a +10 decibel correction to each of the decibel levels given in section 15.9.4.1 of the Zoning Ordinance.

(c). The periodic maintenance testing of the emergency generators shall be limited to occur on non-holiday weekdays between the hours of 8am and 6pm and shall comply with the levels set in section 15.9.4.1 of the Zoning Ordinance. All generators shall be within a manufacturer-approved enclosure or located within the primary structure.

(d). The maximum permissible sound level limits set in section 15.9.4.1 shall not apply to emergency equipment during a power outage, and up to two (2) hours after the restoration of power.

(e). The Applicant shall submit an Environmental Noise Impact Assessment prepared by a qualified full member of the Acoustical Society of America (ASA), a member of the Institute of Noise Control Engineering (INCE), or a member of the National Association of Acoustical Consultants (NCAC).

(i). This noise impact assessment shall include a 48-hour continuous sound level measurement of no fewer than two (2) separate locations at property lines of the proposed site and shall be conducted simultaneously to establish a baseline noise level.

(1) The measurement shall be made with a Type 1 or Type 2 sound level meter that meets the standards prescribed in ANSI S1.4:2014.

(2) The slow meter response shall be used to determine the average 1-hour amplitude.

(ii). This noise impact assessment shall model anticipated noise levels in SoundPLAN, CadnaA or accepted equivalent as a result of facility operation prior to approval of the Land Development Plans.

(2). By nine (9) months after the issuance of the certificate of occupancy for the Data Center, the Data Center operator shall provide a sound study to verify that the operation is in compliance with the requirements in Section 1, above.

(a). The sound study shall include a 48-hour continuous sound level measurement of no fewer than two (2) separate locations at property lines of the proposed site and shall be conducted simultaneously. As feasible, the locations should align with the locations used in the noise impact assessment.

(b). If the background noise as measured in the noise impact assessment exceeds the limits set in Section 1, the post construction sound study shall be considered compliant if it is no greater than 3 dB above the measured levels in the noise impact assessment.

(c). If the data center fails the post construction sound study, the violator shall be subject to a fine up to one thousand dollars ($1,000.00) for each day that the violation exists until compliance is obtained.

9. Water usage.

(a). No principal use on a data center site shall use private groundwater wells or direct withdrawals from surface watercourses as its primary source of water for cooling purposes if a public water source is available.

(b). Data centers shall be designed to utilize a closed-loop or functionally equivalent water circulation system to cool data center processing equipment.

(c). An applicant may propose an alternative cooling system that can be demonstrated to use comparable or less water and energy than closed-loop systems subject to review and approval by the municipal engineer.

(d). If the proposed source is from a public system, the applicant shall submit certified documentation that the public authority has the capacity to supply the water needed.

(e). If the data center will utilize nonpublic water sources, the applicant shall provide a water feasibility study, prepared by a qualified professional.

(f). The purpose of the water feasibility study is to determine if an adequate supply of water is present to support the proposed data center's water use and to evaluate the potential adverse effects on the quantity and quality of existing wells or nearby surface waters.

(g). The water feasibility study shall include, at minimum, the following information:

(i). Calculations of the projected water needs, including seasonal fluctuations.

(ii). A geologic map of the proposed project area within a radius of at least one mile from the site property boundary.

(iii). The location of all existing and proposed wells within 1,000 feet of the site property boundary with a notation of the capacity of all high-yield wells.

(iv). The location of all surface waters within 1,000 feet of the site property boundary and all known point sources of pollution.

(v). A determination of the long-term safe yield of the water source.

(vi). A determination that the proposed water supply system poses no adverse impacts on the quantity and quality of water in nearby wells, streams, and the groundwater table.

(vii). Identification of how water will be recycled, treated, or released into surrounding water bodies.

(viii). A statement of the qualifications and the signature(s) of the person (s) preparing the study.

(ix). The applicant shall provide a drought response plan to demonstrate compliance with state, water supplier, and local drought declaration requirements.

10. Wastewater disposal analysis:

(a). The applicant shall submit an analysis of wastewater disposal needs to either a public sewer system or private system, indicating the quantity of wastewater generation expected. Wastewater shall include sewage and water discharged as part of the data center's HVAC system if applicable.

(b). If wastewater will be conveyed and/or treated by a public system, the applicant shall submit documentation certified by the public authority that the public authority can support the conveyance and treatment needed.

(c). If the data center is to rely upon a private system of wastewater disposal, a wastewater feasibility study shall be required. The purpose of the study is to determine if there is an adequate capacity to dispose of wastewater and that the disposal technique does not pose adverse impacts on surrounding water bodies.

(d). A wastewater feasibility study shall include the following information at a minimum:

(i). Calculations of the projected wastewater generation including the sources of wastewater.

(ii). A geologic map of the area with a radius of at least one mile from the site property boundary.

(iii). The location of all existing and proposed wells within 1,000 feet of the property boundary, with reference to the capacity of all high-yield wells.

(iv). The location of all surface waters within 1,000 feet of the property boundary and all known point sources of pollution.

(v). Identification of the process by which water will be recycled or released into surrounding water bodies.

(vi). A determination that the proposed wastewater disposal system has no adverse impact on the quantity and quality of water in nearby wells, surface waters, and the groundwater table.

(vii). A statement of the qualifications and the signature(s) of the person(s) preparing the study.

11. If connecting to the electric grid, the applicant shall provide documentation from the electric service provider certifying available capacity.

12. The applicant shall submit an Emergency Response Plan (ERP) prepared by a qualified professional. The ERP shall:

(a). Evaluate the impacts of the proposed data center upon emergency services and fire protection.

(b). Be reviewed in consultation with the local or county fire department as part of the conditional use process.

(c). Include procedures for fire suppression, containment, ventilation, and evacuation.

(d). Include an evaluation of 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 systems. To the extent that specialized training is required related to the installed systems, applicant shall bear the reasonable costs of any specialized training required.

(~~d~~f). Include provisions for annual fire safety inspections in accordance with applicable codes and standards demonstrating compliance with fire safety standards to be performed by a qualified professional on behalf of the data center.

(~~e~~g). Provide 24-hour emergency contact signage that is visible at the main entrance. Such signage shall include the company name (if applicable), the owner/representative's name, the telephone number, and the corresponding local power company's name and telephone number.

(~~f~~h). Any Data Center use or Data Center Accessory use proposing battery storage or any other device or group of devices capable of storing energy in order to supply electrical energy at a later time, whether the energy is stored for use on-site or off-site, shall demonstrate compliance with National Fire Protection Association (NFPA) Standard 855, Installation of Stationary Energy Storage Systems, or similar standards and shall include fire suppression systems designed specifically for battery storage.

III. EFFECTIVE DATE

This Ordinance shall become effective five (5) days after enactment or as otherwise established by operation of law.

IV. REPEALER

All ordinances or parts of ordinances inconsistent with this Ordinance are hereby repealed insofar as they may be inconsistent herewith.

V. SEVERABILITY

If any section, subsection, sentence, clause, phrase, or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portions hereof.

ENACTED AND ORDAINED this _____ day of _____, 2026, by the Board of Supervisors of Gregg Township:

_____
Chairman

_____
Vice-Chairman

_____
Supervisor

_____
Secretary