Date: July 17, 2026

Subject: Final comments from Gregg Township Planning Commission to Gregg Township Supervisors in relation to the curative amendment for the July 20, 2026 public hearing.

Part 1 of the hearing.

As was prepared for the June 2 hearing that was postponed, the following are included.

1. An opening statement modified to include additional work done
2. A listing of Exhibits, modified to match progress to date
    a. Note that exhibits not being included for this hearing are still shown but are in strikethrough text.
3. All comments below are based on the June 17, 2026 revised curative amendment. *(Exhibit 14)* This amendment was done in response to the comments from the postponed June 2 hearing.
4. As data centers have developed, more resources have become available to help local governments with decision making processes. Links to some of these resources are provided as *Exhibit 15.*

Noise Ordinance and Curative Amendment review comments have been provided by our acoustical consultant (dated July 7 2026), and are included as *Exhibit 16*. It should be noted that, based on recommendations from citizens and the commission, a sound study was conducted from July 14 (noon) thru July 16 (noon), and based upon that study, additional information will be forthcoming. Once data is available, we agreed to share our information with PNK. At our July 15 regular meeting, PNK also agreed to share information from their noise study. PNK noted it generally takes 2 to 3 weeks to process the data.

Sensitive receptor definition is an exact version of the Sensitive receptor definition used in the proposed Montour County Data Center ordinance. It appears to address the sensitive receptors, but needs to address the specific listing we mentioned in our *Exhibit 13* (sensitive receptors). Also need to assure the Districts and use that are mentioned in this match the Districts that Gregg Township currently has. We do not have Industrial, but do have Commercial Manufacturing. We are also not considering Data Centers for Commercial Districts. Also need to confirm that the language "any residence where such residence is not located on a parcel with an existing industrial, commercial, or unpermitted use as determined by the zoning officer" does not eliminate any grandfathered residence within the CM District. Need to clarify District from Usage as these are not equivalent.

There is still debate about **setback distances** for Data Centers and Data Center Accessory use. The Accessory uses generate the noise, and more distance from Sensitive receptors helps cut down on the

transmission of sound. Two maps (*Exhibits 18 and 19*) have been created to provide a visual image of the proposed curative amendment. These are on large scale mapping and will be provided as a hard copy at the hearing.

With current reviews, many recent ordinances have looked into the establishment of overlay Districts to specifically site locations within a larger development district to allow data center development.

We also have concerns over the language included as part of Section 4, number 2, that starts with "The setback may include property located in a more restrictive zoning district...." We believe additional discussion with other planning agencies may be warranted to prevent future developers from potentially working around the setback issue by purchasing sensitive receptors in either CM or non CM district.

Under Article 16.20 proposed amendment

Number 3 states "Data Center accessory uses shall be set back a minimum of 100 feet from any road frontage and 50 feet from all other property lines." – Might concur on this value where such setback abuts road frontage or property lines that are within the CM district but think a greater distance is needed where abutting Rural Residential, Village, or Agricultural Districts. See *Exhibit 18*.

Number 6 Landscape Buffer – We do not have a definition of a landscape buffer in our ordinance. We do have a definition for a Screen Planting on page 2-23. A Screen planting is : "A vegetative material of sufficient height and density to conceal from the view of property owners in adjoining residential districts the structures and uses on the premises on which the screen planting is located". In accordance with 15.14.2, a landscaping plan may be substituted, but for the purposes of this ordinance, we believe it appropriate to require any landscape buffer to meet the same intent as a screen planting. They did address our other concerns regarding landscape buffer. We originally included specific tree species, but believe a conditional use allows some flexibility for the supervisors for any future development.

8. Noise – See comments from acoustical consultant on *Exhibit 16*. See also PNK's response to the acoustical consultant comments on *Exhibit 17*. The commission members have limited knowledge on noise measurements, studies, and standards and the consultant has been employed to provide guidance on the ordinance. He will be available for testimony at the public hearing.

1.d. -The commission does not agree to allow no limits to be established for noise during emergency operations of generators. There are concerns on the noise levels this actually generates, and what constitutes emergency operations given the strain on the electric grid.

2.d. – In the municipal planning code, Section 617.2 a maximum fine of $500 plus all court costs, including reasonable attorney fees is allowed. Our solicitor noted that we are limited to $500 per day, but each day is a separate violation. Why was this $1,000 value set if it is known we can only enforce up to $500?

Add (d) – the establishment of a fine does not prevent the Township from pursuing other remedies for noise level violations available to it through actions in equity or law.

9. Water usage is ok

10. Wastewater disposal analysis is ok

11. Did not address Montour County Data Center zoning amendment, Section H. Energy Systems/supply. Energy System/Supply as was shown as *Exhibit 5.a*. and as part of our original May 26, 2026 comments, number 11, on page 8.

12. Emergency Response plan - ok

Additional comments.

As part of our ongoing discussion with PNK, they noted the possibility of adding natural gas fired turbines as a permanent supplement for energy generation. This would reduce the strain on the grid as they are self-powering some of their energy needs. This would also require a CU or curative amendment as gas fired energy systems are not included in our schedule of uses.

Schedule of uses would need modified for Data Center/Data Center accessory use.

A Community benefits agreement that directly benefits residents of Gregg township may still want to be considered.

Based upon unresolved issues as noted above, we, the commission recommend rejecting the June 17, 2026 landowner curative amendment as written.

Dan L King

Dan L. King, Chairman, Gregg Township Planning Commission