Date: *July 17, 2026*

Subject: Gregg Township Planning Commission

Opening statement for comments in regards to the proposed PNK P2 LLC curative amendment for Data Centers*, for July 20, 2026 public hearing.*

(Note that any information shown in italics and underlined is a change from the opening statement of May 27, 2026)

On February 19, 2026, a landowner curative amendment was submitted by PNK P2 LLC for the additional use of a "Data Center and/or Data Center Accessory uses" within the Commercial Manufacturing District located just north of the Village of Allenwood in Gregg Township, Union County.

We, the Planning Commission, believe it is important for anyone reviewing these hearing comments to understand the direction we are given by law and ordinance as we work through this process.

THE LAW

The Municipal Planning Code, which took effect on January 1, 1969, as Act No. 247, and was re-enacted as Act 170 of 1988, provides the legal framework which municipalities must follow when taking actions on planning, zoning, and land development.

Section 105 of the code provides the purpose as the protection and promotion of safety, health, morals and general welfare of landowners.

Section 209.1 provides direction on the powers and duties of the planning agency

Section 211 explains the process for the planning agency to obtain assistance when needed in the performance of their duties.

Section 604. Zoning Purposes.

The provisions of zoning ordinances shall be designed:

(1) To promote, protect and facilitate any or all of the following: the public health, safety, morals, and the general welfare; coordinated and practical community development and proper density of population; emergency management preparedness and operations, airports, and national defense facilities, the provisions of adequate light and air, access to incident solar energy, police protection, vehicle parking and loading space, transportation, water, sewerage, schools, recreational facilities, public grounds, the provision of a safe, reliable and adequate water supply for domestic, commercial, agricultural or industrial use, and other public requirements; as well as preservation of the natural, scenic and historic values in the environment and preservation of forests, wetlands, aquifers and floodplains..

Section 609 provides procedures and direction on the Enactment of a zoning amendment, and in particular, **Section 609.1** provides direction s regarding **Landowner curative amendments**. We are currently in that process.

THE ORDINANCE

The current **Gregg Township zoning ordinance(dated July 7, 2014)** adopts the requirements from the above listed sections in the Municipal Planning code under Article 1.6 "Interpretation" (Health, Safety, morals and general welfare)and Article 26.1.6 "Landowner Curative Amendment"

The following are portions of the ordinance that provides guidance when addressing landowner curative amendments.

Article 26 - Amendments and Conditional uses – Board of Supervisors

Article 26.1 Amendments to Zoning ordinance or Map

Article 26.1.6 provides for Landowner Curative amendments. PNK submitted a landowner curative amendment on February 19 2026, and we are currently following the processes outlined in

Article 26.2 Conditional Uses

Currently PNK is requesting Data Center/Data Center accessory uses be permitted by right.

OTHER COMMENTS

There is a lot of opposition to the placement of a Data Center and the associated Accessory use facilities within the Township at this time. As the Planning Commission, we are required to act within the framework of the law, which is the Municipal Planning Code, as well as additional direction provided by the Gregg Township Zoning Ordinance. Based upon this, we simply cannot say no to such a zoning ordinance. It is our Duty to provide comments to the Supervisors at this public hearing in regards to PNK's proposed curative amendment.

Under Article 26.1.1 of the Gregg Township Zoning Ordinance "If the Planning Commission(s) fail to file such a report before the Public Hearing it shall be presumed that the Planning Commission(s) have no comments or concerns regarding the proposed amendment, supplement or change."

The Planning Commission has met on 5 occasions since receiving the Landowner Curative Amendment, with the application submitted on February 19. This was one day after our normal monthly meeting held on February 18.

At the first monthly meeting on March 18, 2026, the landowner attended to hear initial comments from the planning commission. The Feb 19, 2026 curative amendment is part of our Exhibits provided with our comments (Exhibit 1). At the meeting, the planning commission had concerns about many of the amendments containing insufficient detail, especially after beginning a review of the numerous draft and/or final ordinance measures that are available. Our review must first look at whether such an amendment meets the "minimum requirements for the promotion of the health, safety, morals and general welfare" of the residents of the township. It was also noted, that while the focus of the landowners curative amendment is in regards to Building #5, and the planning commission must look at the use within the entire Commercial manufacturing District when evaluating any changes, and not just a particular lot/building.

It was also agreed that a work session should be scheduled before the next planning commission meeting.

Members of the planning commission then:

1. Researched various ordinances developed and/or being developed by other municipalities.
2. Reviewed published literature regarding noise levels
3. Visited the crypto-mining facility near Berwick on two separate occasions to try to get a perspective on noise generation.
4. Reviewed written public comments we received.
5. Reviewed verbal comments we received from the public who attended both regular and work session meetings.
6. Attended the PNK informational meeting on April 2, with a follow up review of the Questions and Answers posted by PNK.
7. Attended the Board of Supervisors meeting on May 4.
8. Reviewed numerous documents submitted to us regarding concerns and methods to address those concerns when data centers are proposed
9. Had telephone calls with PPL electric utilities and Pa American Water
10. Reviewed and provided draft comments to PNK for their original (verbal) and April 24 (written)revised amendment.
11. Checked noise level readings at various locations in and around the CM and Village District during daylight hours, noting that these are not official studies.
12. Sent a scope of work to an acoustical engineering firm for a professional analysis of the various noise sections within our current ordinance and the April 24 revised landowner curative amendment. *A scope of work was received by our current acoustical consultant on June 1, 2026.*
13. Reviewed and are providing comments for the final version of the landowner curative amendment dated April 24 2026 *in response to the postponed June 2 public hearing*
14. *Our acoustical consultant began his noise study on July 14 and ended on July 16*.
15. *We continued to review any new information regarding municipal "lessons learned" from active data center developments.*

16. *We discussed the landowner curative amendment and conditional use land development plans with PNK at our regular meeting on July 15.*
17. *We are providing comments and exhibits for the July 20 public hearing.*

PNK postponed the original public hearing that was to be held on June 2, 2026. Given the comments, they provided a revised version of the curative amendment dated June 17, 2026.

The planning commission reviewed these revisions at our June 19, 2026 regular meeting. At that time several of the concerns of the commission were addressed, but there were still ongoing issues, mostly related to; Review by our acoustical consultant, establishment of appropriate setbacks, and addressing of final concerns related to energy consumption by data centers.

As of this date, the acoustical consultant has completed noise level studies, the commission created a map showing the approximated allowable locations of data center accessory uses within the CM district based upon the June 17 amendment , and draft comments were provided to PNK on July 7 , 2026 for their review. Included in these draft comments was a letter from our acoustical consultant, dated July 7, 2026 that provided his review of the existing ordinance, proposed ordinance, and comments on possible issues/actions to be taken.

PNK subsequently provided comments on the July 7 letter, dated July 13, 2026 disagreeing with many of the actions recommended by the Townships acoustical consultant.

The Planning commission has comments which follow this opening statement as a separate document.

Dan L. King - Dan L. King, Chairman, Gregg Township Planning Commission