Date: July 17, 2026

Subject: Comments for Conditional use plan – Part 2 of public hearing.

1. The original plans for conditional use were received on May 20, 2026. A revision to these plans was received on July 14, 2026.
2. No noise studies that show ambient levels have been completed. We believe this is an appropriate request under Section 15.9 Nuisance Standards of our existing ordinance.
    a. 15.9.1 States" No use shall be permitted which is noxious or offensive in the immediate surrounding areas by reason of odor, dust, smoke, gas, vibration, illumination, or noise, or which constitutes a public hazard whether by fire explosion, toxicity, or otherwise. In determining whether a proposed use is noxious, hazardous or offensive, the following **standards shall apply**. The proposed use **shall not**:"
        i. Section 15.9.1.2 "Result in noise or vibration exceeding the average intensity of ambient noise or vibration occurring from other causes at the boundary line."
    b. The language of the township ordinance notes this as a standard, and not just a study.
    c. The township retained JMS Acoustics to provide comments on our existing noise ordinance, as well as any potential changes that would promote the health, safety, morals and general welfare of citizens. This information was provided in a letter dated July 7, 2026 and should be reviewed as part of this process.
3. Approximate setback of proposed data center to nearest residential use sensitive receptor is 450' +. This information is provided since other conditional uses in the CM District, such as Adult uses and Communications Towers have greater setback distances from uses/lot lines than required under Section 10.4.3. Adult uses require between 1,000 feet and 2,000 feet from specific other uses as seen in Section 16.2.1 in compliance with the morals requirement listed in Section 1.6. Communications towers have a setback of 120% of the tower height from a property line in accordance with the safety requirement of Section 1.6. Health and welfare are also to be considered when reviewing applications.
4. Approximate setback of proposed data center accessory use to nearest residential use sensitive receptor is 870'+ on the July 14 plans. On the May 20 plans, the Generators were approximately 1000' from the nearest residential use sensitive receptor, and the chillers were approximately 1060 ' from the sensitive receptor.
5. Landscape buffer utilizes species appropriate for growth and coverage in accordance with screen planting requirements.
6. 30' sound walls are present around accessory uses, except at the southern end of the chillers on the southwest side of the building. See page 6.
7. This plan is being presented at the same time as a landowner curative amendment and there are concerns with the data center and data center accessory uses that are not fully addressed. These are addressed in the curative amendment(Part 1) comments of this hearing. A review of the curative amendment hearing comments should be considered under this Parts review .

8. PNK presented two noise models of the proposed layout shown in the conditional use plans that model the expected noise levels experienced at the Village property line.
    a. Noise model 1 shows expected day and night noise levels for the cooling systems under normal operation.
    b. Noise model 2 shows expected day and night noise levels for generators under emergency operating conditions.
    c. Both these models address dB(A) as a level, but should consider information for dB(C) levels as well.
9. A review of *Exhibit 15* of the comments for the curative amendment, and in particular the link from the Penn State extension, should be done. This is in further reference to number 11 below.
10. The following are the only comments on the administrative completeness
    a. Section 26.2.2.3 – property also adjoins the eye center,
    b. Section 26.2.2.6 – no estimated costs for total development was provided. This is noted as TBD.
11. Municipal Planning Code - Under **Section 913.2 Governing Body Functions; Conditional uses** includes the following language at the end of Section (a) , the "governing body *may attach such reasonable conditions and safeguards, in addition to those expressed in the ordinance*, as it may deem necessary to implement the purposes of this act in the zoning ordinance." Due to the ongoing discussion regarding the landowner curative amendment, there are potential reasonable conditions and safeguards th**[at]** may need considered pending the outcome of the curative amendment , as it may deem necessary to implement the purposes of this act in the zoning ordinance." Due to the ongoing discussion regarding the landowner curative amendment, there are potential reasonable conditions and safeguards they may need considered pending the outcome of the curative amendment.
12. On page 14 of 17, number 4, they note "Routine generator testing shall be limited to weekday daytime hours, except for emergency operations and except for testing required by the utility, manufacturer, or applicable code." An explanation of these requirements should be provided. Also, although a separate part of this hearing, under number 8.1.d of the curative amendment, they are requesting that maximum permissible sound level limits not apply to emergency equipment during a full power outage.
13. Also, under the proposed landowner curative amendment, Number 8.2.d, they are proposing that the post construction survey is considered compliant if it is no greater than 3dB above the measured levels.
14. Our current ordinance does not have specific requirements for post-construction testing of any kind. Based on their own noise model 2 (number 8.b. above), they noted they can meet 51 dB(A) during the day and 49 dB(A) at night. By their application, they have noted they will comply with the noise requirements in the ordinance. If considered, any post-construction noise measurements should meet the ordinance, with no addition of 3dB.
15. On page 4 of 17 (Section E, proposed use, they note "the proposed us**[e]** is less intensive than warehousing, distribution, trucking terminals, and manufacturing operations already permitted by right in the C-M District. If this were the case, they would consider our ordinance as written

has sufficient criteria to already address Data Centers. The commission does not concur with the, as a curative amendment to address Data Centers is currently underway.

16. Page 6 of 17, note 16.7.3 – "It in no way is in conflict with the general purpose of this Ordinance. The burden of proof shall be on the applicant to demonstrate that the proposed uses and the foregoing criteria would not be detrimental to the public health, safety, and welfare of the neighborhood where it is located" - Welfare is still a requirement of the ordinance that is often overlooked.
17. Page 9 of 17 – comparison chart – Labelling the noise level as "controllable" is debatable. If the sound was controllable, by definition, it would not be one of the fundamental issues surrounding all data centers.
18. Page 10, Section 1.4.2 notes that the proposed use is consistent with conserving and stabilizing property values within Great Stream Commons. Should any consideration be given to adjacent properties?
19. Page 12 of 17 B. Power consumption and grid impact – Due to recent concerns of all residents, grid impact should be noted as more than just utility related, but land related as well. The facility would require new transmission lines that have adverse impacts on other landowners.
20. Page 13 of 17 – C. Noise – No mention of mitigation to meet the requirements to be compliant before fully operational. Notes that analysis will be done and if not compliant, accepts enforceable conditions. This language is one of the main reasons that a data center specific ordinance is required. As mentioned, the data center ordinance includes language of preoperational and numerous post operation sound studies.
21. A review by the zoning officer found the submitted site plans to be complete.

Dan L King

Dan L. King, Chairman, Gregg Township Planning commission