MAG DRAFT
6/3/26

TOWNSHIP OF ELDRED
MONROE COUNTY, PENNSYLVANIA

ORDINANCE NO. _____

AN ORDINANCE AMENDING THE ELDRED TOWNSHIP ZONING ORDINANCE TO DEFINE AND ADD SPECIFIC REQUIREMENTS FOR DATA CENTERS AND DATA CENTER ACCESSORY USES; AND PROVIDING FOR OTHER MISCELLANEOUS MATTERS.

WHEREAS, Eldred Township, Monroe County, Pennsylvania, (the "Township") is a Pennsylvania second class township, organized and operating under the Pennsylvania Second Class Township Code ("Township Code"), 53 P.S. Sec. 65101, et seq.;

WHEREAS, pursuant to Sec. 1505 of the Township Code, 53 P.S. Sec. 66505, the corporate powers of the Township shall be exercised by the Township Board of Supervisors (the "Board");

WHEREAS, Section 1506 of the Township Code, 53 P.S. Section 66506, authorizes the Board of Supervisors to make and adopt any ordinances, by-laws, rules and regulations not inconsistent with or restrained by the Constitution and the laws of this Commonwealth necessary for the proper management, care and control of the Township, and its finances and maintenance of peace, good government, health, and welfare of the Township and its citizens, trade, commerce and manufacturers;

WHEREAS, Section 1516 of the Township Code, 53 P.S. 66516, entitled "Land Use Regulations," authorizes the Board of Supervisors to plan for the development of the Township through zoning, subdivision and land development regulations under the Act of July 31, 1968 (P.L. 805, No. 247), known as the "Pennsylvania Municipalities Planning Code";

WHEREAS, pursuant to such authority, the Township enacted on May 1, 2014, Township Ordinance #2014-01, commonly known as the Eldred Township Zoning Ordinance, (the "Zoning Ordinance");

WHEREAS, Section 609 of the Pennsylvania Municipalities Planning Code, Act of July 31, 1968, P.L. 805, No. 247, as amended and re-enacted by the Act of December 21, 1988, P.L. 1329, No. 170, found at 53 P.S. 10609, entitled "Enactment of Zoning Ordinance Amendments," sets forth provisions for the enactment of amendments to zoning ordinances pursuant to certain procedural formalities;

WHEREAS, the Board from time to time has reviewed the Zoning Ordinance, and amended the Zoning Ordinance, as the Board finds in the best of interests of the health, safety and welfare of Township residents;

WHEREAS, the Board desires to plan for and accommodate the managed use and regulation of Data Centers and Data Center Accessory Uses for the needs of its residents and businesses;

WHEREAS, the Board finds that amendment of the Zoning Ordinance as provided herein will promote, protect and facilitate the public health, safety and general welfare of the Township's residents;

WHEREAS, the Board desires to amend the Zoning Ordinance in regards to Data Centers and Data Center Accessory Uses to promote the harmonious, adequate and safe development and use of property located in the Township; and

WHEREAS, prior to the enactment of this Ordinance, the Board has submitted the proposed Ordinance to the County and Township Planning Commissions for comment, and also held a public hearing on the proposed Ordinance.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED by the Board of Supervisors of Eldred Township, Monroe County, Pennsylvania, and it is hereby ordained and enacted by the authority of the same, to wit:

Section 1. Section 303, Definitions, of the Zoning Ordinance, is amended by adding the following definitions:

> **Cryptocurrency Mining Facility:** Specialized Data Centers that house a large number of computers (mining rigs) dedicated to solving complex mathematical problems to validate transactions and add new blocks to a blockchain to produce newly minted cryptocurrency.
>
> **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. The Data Center use shall be inclusive of Cryptocurrency Mining Facilities. 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.

Section 2. Section 404, District Regulations, of the Zoning Ordinance, is amended by adding "Data Centers" and "Data Center Accessory Uses" to the list of CONDITIONAL USES of the I – Industrial District SCHEDULE OF USES.

Section 3. Article VIII, Standards for Specific Uses, of the Zoning Ordinance, is amended by adding a new Section 812, Data Centers and Data Center Accessory Uses, previously reserved, as stated in Exhibit "A" hereto, and incorporated by reference as though fully set forth herein.

Section 4. If any sentence, clause, section, or part of this Ordinance is for any reason found to be unconstitutional, illegal or invalid, such unconstitutionality, illegality, or invalidity shall not affect or impair any remaining provisions, sentences, clauses, sections, or parts of this Ordinance. It is hereby declared as the intent of the Board of Supervisors that such remainder shall be and shall remain in full force and effect.

Section 5. All Ordinances or parts of Ordinances inconsistent with this Ordinance are hereby repealed insofar, but only insofar, as the same are inconsistent herewith. To the extent the provisions of this Zoning Ordinance Amendment are the same as any provisions of the Zoning Ordinance, as amended, in force immediately prior to enactment of this Ordinance, the provisions of this Ordinance are intended as a continuation of such prior provisions and not as new provisions. The provisions of this Ordinance shall not affect any act done or liability incurred, nor shall such provisions affect any suit or prosecution pending or to be initiated to enforce any right or penalty or to punish any offense under the authority of any ordinance in force prior to enactment of this Ordinance.

Section 6. This Ordinance shall take effect immediately.

Section 7. This Zoning Ordinance Amendment is incorporated into the Township's official Ordinance Book by reference with the same force and effect as if duly recorded therein, in accordance with Sec. 610(c) of the Pennsylvania Municipalities Planning Code, 53 P.S. Sec. 10610(c).

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ORDAINED AND ENACTED into an Ordinance at a regular meeting of the Board of Supervisors of Eldred Township, Monroe County, Pennsylvania this _____ day of _____, 2026.

TALLY OF VOTES – YEAS _____ NAYS _____

TOWNSHIP OF ELDRED
BOARD OF SUPERVISORS

_____
Chairperson

_____
Vice Chairperson

_____
Supervisor

(TOWNSHIP SEAL)

Attest:_____
Township (Assistant) Secretary

MAG DRAFT
6/3/26

EXHIBIT "A"
TO ORDINANCE

812 **Data Centers and Data Center Accessory Uses**

In addition to all other applicable standards in this Ordinance, the following regulations shall apply to Data Centers and Data Center Accessory Uses. In the event that these standards conflict with the requirements in another section of this Zoning Ordinance, the stricter of the conflicting requirements shall apply, unless specifically provided for otherwise in this Section 812.

A. Data Centers and Data Center Accessory Uses shall be permitted by CONDITIONAL USE in the I - Industrial Zoning District when approved in compliance with the procedures, standards, and criteria contained in this section.

B. For purposes of this section, sensitive receptors shall be defined as residential uses, schools, preschools, daycare centers, in-home daycares, long term care facilities, retirement and nursing homes, community centers, places of worship, parks (excluding trails), campgrounds, prisons, and dormitories.

C. **Dimensional Standards.** The dimensional standards of Data Centers and Data Center Accessory Uses shall be in accordance with the I - Industrial Zoning District, with the following exceptions:

1. The Minimum Lot Size shall be ten (10) acres.

2. The maximum building height for a Data Center shall be 60 feet, inclusive of roof-mounted equipment such as cooling and ventilation systems, HVAC units and cooling towers. The maximum building height for Data Center Uses contained in this Section 812 shall apply to a Data Center Use instead of a lesser maximum building height limitation contained elsewhere in the Zoning Ordinance.

3. The maximum height of Data Center Accessory Uses shall be no greater than the height of the principal building.

4. Data Centers and Data Center Accessory Uses shall be set back 200 feet from the boundary of the I-Industrial Zoning District and all other zoning districts or the lot line of any property developed with a sensitive receptor.

D. **Landscape Buffer.** A landscape buffer is required between Data Centers and Data Center Accessory uses and any zoning district adjoining the I - Industrial Zoning District, sensitive receptor, or public roadway. The landscape buffer shall comply with the following

requirements, as well as those contained in other applicable sections of the Zoning Ordinance and the Township Subdivision and Land Development Ordinance (SALDO), as amended:

1. The landscape buffer shall be at least 25 feet in width and may be part of the minimum setback distance.

2. Buffer plantings shall consist of native species planted as follows:

    a. One (1) large evergreen tree per 25 linear feet of buffer. The size of large evergreen trees shall be a minimum of eight (8) feet in height at the time of planting.

    b. One (1) deciduous canopy (shade) tree per 75 linear feet of buffer. Size of canopy (shade) trees shall be a minimum of 2½ inch caliper at the time of planting.

    c. One ornamental/flowering tree per 50 linear feet of buffer. The size of ornamental/flowering trees shall be a minimum of eight (8) feet in height for multi-stemmed varieties, or 2½ inch caliper at the time of planting for single-stemmed varieties.

    d. Five (5) shrubs per 25 linear feet of buffer. Size of shrubs shall be fully branched and minimum of three feet in height at the time of planting. Shrubs shall be a combination of evergreen and deciduous species, with a minimum of 50% being evergreen.

    e. The following note shall be placed on the conditional use plans and on the recorded land development plan: "Plant materials shall be permanently maintained and any plant material which dies shall be replaced by the landowner."

3. In the event that existing vegetation is adequate to meet the intent of the required buffer yard to screen the Data Center and Data Center Accessory Uses from any zoning district adjoining the I - Industrial Zoning District, sensitive receptors, and public roadways, the Board Of Supervisors, upon recommendation by the Township Engineer and Planning Commission, may determine that existing topography and/or vegetation constitutes all or part of the required buffer yard.

E. **Screening and Fencing**

1. To provide visual screening and reduce noise levels, ground-mounted and roof-mounted equipment used for cooling, ventilating, or otherwise operating the facility, including power generation or other power supply equipment, that is located within 300 feet of a public roadway, any zoning district adjoining the I - Industrial Zoning District, or the lot line of any sensitive receptor must be fully enclosed, except where not mechanically feasible based on the manufacturer's specifications. If it is not

mechanically feasible to fully enclose the equipment, it must be fully screened from view using one or more of the following means:

a. The landscape buffer required by subsection (D) above.

b. By existing vegetation that will remain on the property.

c. By the principal Data Center building or an accessory building

d. A berm averaging a minimum of five (5) feet in height above the adjacent average ground level with a maximum side slope of 3:1, provided that the berm shall be covered by a well-maintained all season natural ground cover and any required screening plantings shall be arranged on the outside and top of the berm.

e. A visually solid fence, screen wall or panel, parapet wall, or other visually solid screen that shall be constructed of materials compatible with those used in the exterior construction of the principal building.

2. Fencing of the property is permitted, provided that fencing along public and private roadways is not chain-link, with or without slatted inserts, and does not include barbed wire or other similarly visibly intrusive deterrence device. An applicant shall not be required to comply with this requirement if fencing is fully screened from view by one or more of the means identified in subparagraph 1 above. The fence shall be a minimum of 8 Ft in height, but no higher than the height allowed by the Zoning Ordinance, except as the Board Supervisors may expressly approve as part of the conditional use application. Any permitted chain link fence shall be black poly-coated or other material approved by the Board of Supervisors.

F. **Noise and Vibration**

1. The applicant shall demonstrate through a sound study conducted by a professional acoustical expert that the sound generated by a Data Center and/or Data Center Accessory Uses during normal operations shall be limited to the Maximum Sound Levels for a commercial use under the Zoning Ordinance, as measured from the property line of the use. Such sound study shall be conducted using Sound Level Meters described in ANSI S1.4-2104 and generally accepted methodology. A sound study shall be conducted at the following phases:

a. A preliminary study shall be conducted as part of the conditional use process. The preliminary sound study shall include recommended sound-reducing materials or systems as needed to meet the aforesaid sound limits.

b. An interim sound study shall be conducted during the building permit approval process based upon the proposed user or users of the Data Center and Data Center Accessory Uses depicted on the building plans. Any sound-reducing

materials or systems recommended by interim sound study shall be incorporated into the construction plans for the use.

c. An as-built sound study shall be conducted six months after issuance of the certificate of occupancy and prior to the final escrow release for any land development phase. An as-built sound study may also be required thereafter by the Eldred Township. If it is determined by the as-built sound study that there is a violation of the aforesaid noise limits, it shall be considered a violation of this Ordinance.

2. Maximum decibel levels specified herein shall not apply during times of power outage, however the sound studies shall also evaluate and report anticipated decibel levels when all emergency power generation equipment is running, including backup generators.

3. The applicant shall provide a vibration study prepared by a qualified professional that demonstrates that no vibration from the Data Center, Data Center Accessory Uses, or associated equipment will be perceptible to the human sense of feeling beyond the property line.

G. **Water**

1. If the use will be served by a public water supply, the applicant shall submit documentation from the public authority certifying that the public authority will supply the water needed.

2. If the use is to rely upon nonpublic sources of water, the applicant shall provide a water feasibility study. The purpose of the study is to determine if there is an adequate supply of water for the proposed use and to estimate the impact of the use on existing wells, groundwater, and surface waters in the vicinity. No Data Center shall be approved unless the water feasibility study demonstrates that the anticipated water supply yield is adequate for the project and that the proposed water withdrawals and discharges will not endanger or adversely affect the quantity or quality of groundwater supplies or surface waters in the vicinity. The water feasibility study shall include the following information at a minimum:

a. The projected water demands of the Data Center;

b. The source of water to be used;

c. A description of how water will be used, including the amount or proportion of water to be used for each purpose (e.g. cooling, humidity control, fire suppression, and domestic usage);

d. The long-term safe yield of the water source. The applicant shall provide documentation demonstrating the long-term safe yield of the proposed water

source, including all supporting data and analyses used to determine the yield and the period over which it is projected to remain sustainable. The long-term safe yield of the water source shall be established based on hydrologic, geologic, and operational data.

e. A description of the amount or portion of water withdrawn that will be recycled or discharged and by what means;

f. A topographic and geologic map of the area with a radius of at least one mile from the site;

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

h. The location of all surface waters, including perennial and intermittent streams, rivers, lakes, reservoirs, ponds, wetlands, springs, natural seeps, and estuaries, within 1,000 feet of the property boundary;

i. A determination of the effects of the proposed water supply system on the quantity and quality of water in nearby wells, surface waters, and the groundwater table;

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

k. The water feasibility study shall be conducted in accordance with the following:

(i) Pumping Test and Water Quality Analysis. All elements of the pumping test well and water quality analysis shall be completed prior to submission of the water feasibility study. A well construction permit is required for the pumping test well(s) and monitoring well(s) for preparation of the water feasibility study.

(ii) Professional Preparation. The water feasibility study shall be prepared by a professional geologist and/or professional engineer, licensed in the Commonwealth, experienced in the performance of groundwater investigations for water supply wells.

(iii) Certification. The water feasibility study shall be signed and sealed by the person(s) preparing the study and shall include the following information, with respect to the proposed conditional use application:

1) Calculations. Calculations of the projected water demand, including both average and peak daily consumption, using the applicable criteria set forth in the following references:

[a] The adequacy of nonresidential water supplies shall be determined based upon the minimum water requirements published in Table IV-1.2 of Part IV of the current edition of the PA DEP Public Water Supply Manual. For nonresidential facilities other than those found in Table IV-1.2, the adequacy of nonresidential supplies shall be based upon the flow assumptions published in 25 Pa. Code Chapter 73, Standards for Sewage Disposal Facilities, § 73.17(b), or shall be based on actual water meter or sewage meter flow data for facilities of similar type and size. The applicant shall substantiate any meter flow data used to determine the adequacy of nonresidential supplies by submitting copies of water and/or sewer bills for the similar facilities.

[b] Guide for Determination of Required Fire Flow by the Insurance Services Office (ISO), as amended.

[c] Standards and Manuals for the American Water Works Association, as amended. 6

[d] In addition to the above, the projected water demand shall include any additional flow required to comply with National Fire Protection Association specifications for sprinkler systems.

2) Area Maps. A topographic and geologic map of the area within a one-mile radius of the site.

3) Regional Map Information. The following information shall be provided on a regional topographic map for the area within a 0.5-mile radius of all proposed wells. If any existing wells withdrawing over 10,000 gpd are located within one mile of the site, the mapping radius shall be extended to one mile. Said map shall be up to date by using recent aerial photographs and/or a driving survey.

[a] The location of all existing and proposed wells, including the test well(s) and monitoring wells. An Eldred Township Well Permit is required prior to drilling any new water well for testing or monitoring. Copies of all existing well permits related to the project shall be submitted with the application. All necessary water well permits must be provided to the Zoning Officer prior to issuance of a zoning permit.

[b] The location of all existing and proposed on-lot sewage disposal systems as well as all sewage treatment system surface water discharges.

[c] The location of facilities storing or handling residual or hazardous wastes and substances or petroleum products.

[d] The location of all perennial and intermittent watercourses.

4) Site Plan. A site plan shall be provided, showing existing and proposed lot lines. The following features shall be presented on an up-to-date plan for the site and area within 300 feet beyond the site perimeter.

[a] Flagged wetland boundaries.

[b] All springs, seeps and ephemeral pools.

[c] All watercourses with a statement as to whether they are perennial or intermittent.

[d] Existing and proposed wells.

[e] Existing and proposed septic systems.

[f] Test well(s) and monitoring wells.

[g] Topography.

[h] Piezometer wells, if applicable.

5) Pumping Test Wells. The test well shall be the supply well(s) anticipated for use by the facility. A backup well is highly recommended and should be tested on a separate week than the primary well.

6) Monitoring Wells.

[a] At least six monitoring wells shall be employed for each pumping test. Monitoring wells shall be evenly spaced radially around the test well so as to represent the region. Wells shall be evenly distanced from the test well so as to experience background in addition to interaction conditions. At least one well shall be no more than 500 feet from the test well. If such a well is not available a monitoring well can be

drilled on the site to serve that purpose. The monitoring well should be drilled in a location and constructed in a location, depth and yield so as to later be used as a house well. Information regarding monitoring well casing depth, total depth and water producing zones shall be provided in the final report.

[b] The applicant shall secure written permission from the property owner for any off-site well to be used for monitoring, that grants the Township permission for a period not to exceed 18 months after completion of the project, to obtain water level measurements and samples of the water for laboratory analysis as required to verify compliance with this chapter.

[c] Water levels in the monitoring wells shall be made at sufficient frequency during the test so as to allow for a clear understanding of the static water level trend throughout the pumping test. At least one week prior to the pumping of the test well, the monitoring wells shall be measured on at least four separate days. During the pumping test, monitoring wells shall be measured at no less than two-hour intervals during daylight periods. It is highly recommended that either nighttime measurements be made or automated water level logging devices be employed to improve well level data for those wells that are in use. Insufficient or poor quality data may negate the test results. At least four days of post well water level measurements shall be recorded over a period of a week.

[d] Ground elevation adjacent to the well(s) in addition to the static water level shall be based on USGS vertical datum.

7) Testing Locations and Details. Prior to drilling and/or testing, the Township Engineer shall be provided with the Pennsylvania State Plane Coordinates for the monitoring and test well locations and a map of said locations of the test well(s) and monitoring wells. Prior to drilling and/or testing, the Township Engineer shall be provided with the anticipated pumping test rate and monitoring frequency program which shall be subject to approval by the Township Engineer prior to the test. Dates of drilling and testing shall be made available to the Township Engineer so that they may

witness field operations as necessary. An Eldred Township Well Permit is required prior to drilling any new water well for testing or monitoring.

8) Geologic Log. An accurate geologic log should be maintained during drilling of the pumping test well(s) and monitoring well(s) if applicable, to provide a detailed description of the type and thickness of rocks and overburden encountered. Additionally, the log shall contain information on the depth of all water bearing zones encountered and the yield from each zone. The total yield from the well shall be measured using a quantitative method. Samples shall be collected every 20 feet during drilling, or at each change in rock type, whichever occurs first.

9) Pumping Tests. Forty-eight-hour pumping test(s) shall be conducted on the pumping test well(s) at a rate not less than 150% of the combined projected peak daily water demand for the proposed need for which the well represents. The test shall include the monitoring of background water levels in all wells for a period not less than one week prior to start of pumping and one week after pumping. The pumping test shall be conducted during a period when there is no measurable precipitation for at least 48 hours prior to pumping and throughout the test. If precipitation is encountered during this period, the data shall be evaluated using an acceptable method to account for the effects of any recharge upon water levels in the wells, and upon all calculations at a constant pumping test data. Significant recharge during the test may cause the results to be considered invalid. The pumping test shall be followed by a recovery test, with monitoring of water levels in the test well being conducted until at least 95% recovery of draw down is observed in the test well, or until 48 hours after termination of pumping, whichever is first.

10) Pumping Rate. The pumping test shall be conducted at a constant pumping rate that shall not deviate greater than plus or minus five (+/- 5%) during the test. The rate of flow shall be monitored by a water meter that tallies total flow volumes as well as reveals pumping rate. The rate of flow from the meter shall be verified periodically through the test with manual bucket and stopwatch measurements and such confirmation measurements recorded and reported.

11) Pumping Test Discharge. The pumping test discharge shall be directed away from and downslope of the test well so as not to significantly influence draw down in the test well and monitoring wells. The means of

conveyance and point of discharge shall be approved by the Township Engineer, and shall be at least 100 feet distant.

12) Required Data. The report shall include precipitation data, static water level immediately prior to yield testing, hydrograph of depth to water surface during test pumping and recovery period of the test well, graphs of depth to water surface at monitoring wells during the test pumping period, typed and raw field notes showing original observations, water levels and flow readings, and the time readings were taken.

13) Water Quality. Water quality samples shall be obtained from the test well at both the commencement and termination of the pumping testing to demonstrate that drinking water quality conforms to this section.

[a] All samples shall be collected, transported and analyzed in accordance with US EPA and PA DEP protocol for drinking water. Sample testing shall be performed by a laboratory certified by the commonwealth to perform drinking water analysis. Laboratory reports shall contain sufficient quality assurance and quality control data to explain any analysis and reporting conditions or deficiencies. Water quality must comply with currently published US EPA National Primary and Secondary Drinking Water Standards and Health Advisories.

[b] Water quality testing shall include, at a minimum, the following parameters: total and fecal coliform, nitrate/nitrite, pH, iron, manganese, sulfate, lead, chloride, hardness, turbidity, odor, total dissolved solids, surfactants (detergents), volatile organic compounds - Group 1 (VOC1) + 10 unknowns, mtbe, herbicides - Group 1 (H1) and pesticides - Group 3 (P3). A library search for tentatively identified compounds (TICs). Additional analysis shall be required if TICs are discovered. Group 1 (VOC1), etc., refers to PA DEP categories of contaminants.

[c] The applicant shall perform a survey to identify and evaluate potential sources of contamination that may impact water quality in the proposed well(s) and shall perform additional sampling and analysis as may be required to

assure water quality is satisfactory for the protection of human health and the environment.

[d] A well that does not meet the above standards shall be required to meet them through adequate treatment facilities. Installation and annual maintenance cost estimates to adequately treat the water shall be provided in the report.

[e] The laboratory report shall be include and shall contain the name, license number and address of the state drinking water certified laboratory.

14) Aquifer Capacity. Documentation shall be provided to support the requirement that the aquifer beneath the site has the capacity to provide wells of sufficient yield to meet the needs of the proposed development. Supportive evidence shall consist of wells drilled on-site, neighboring well information, and data available for wells within one-half mile of the site using the Pennsylvania Groundwater Information System (PA GWIS).

15) Hydrologic Budget. A hydrologic budget shall be calculated, on an annual basis, for the site based upon the drought recharge capacity of the underlying aquifer and the projected peak water demand of the proposed well(s). The budget shall use groundwater recharge values from published references and a drought of at least one- in-ten-year severity. The recharge area for the budget shall consist only of the proposed development project, less impervious surface unless infiltration system considerations are made, if on-site septic systems are proposed, sand mounds, subsurface and at grade systems may allow for contribution of 90% return of water to the aquifer system. Aquifer contribution from spray, drip and stream discharge shall be determined on a case by case basis. A determination shall be made on whether or not the potential exists for adverse effects on hydrogeology of the project vicinity, including adjacent wells, springs, surface water and wetlands, based upon the results of the hydrologic budget.

16) On-Lot Sewage System Effects. A narrative describing the design of all on-lot sewage disposal systems and their effect upon groundwater recharge and quality with respect to all proposed and existing water supplies. A nitrate study shall be performed following PA DEP mass balance policy guidelines which include average year recharge from the development site alone, less impervious surface, sewer system design flow rates and a 45 mg/l effluent. Available existing groundwater quality nitrate

data shall be obtained from test well(s), adjacent supply wells and springs to include as background nitrate levels. Total nitrate levels shall not be allowed to exceed the 10 mg/l drinking water limit.

17) Effects on Waters of the Commonwealth. If wetlands, seeps, springs, ephemeral pools and/or streams exist on or within 300 feet of the proposed and existing wells boundary, the report shall address the potential to affect these features as a result of drilling and pumping of the proposed supply wells. Circumstantial evidence to support conclusions regarding this issue shall be considered limited in value. Thus, direct monitoring of water levels and direct measurement of flows during pumping tests shall be required when said surface water features are deemed at potential risk. If staff gauges are used, measured stream and seep flow rates must be provided to quantify flows at various gauge levels. Analysis shall include evaluation of the potential effect from proposed underground utility lines that may penetrate the shallow groundwater system.

3. The applicant shall provide proof of review and approval from the Delaware River Basin Commission for projects proposing:

    a. Water withdrawals of 100,000 gallons per day (gpd) or more over a 30-day average from any source or combination of sources within the Delaware River Basin; or

    b. Any consumptive water use of 20,000 gpd or more over a 30-day average from any water source.

4. The applicant shall, upon submission of the conditional use application, submit written evidence that they have complied with all Township and State regulations, and that the proposed system to be installed meets the requirements of the PA PUC, PA DEP, and any other applicable regulations.

H. **Sewer**

1. If the use will be served by a public wastewater disposal service, the applicant shall submit documentation from the public authority certifying that the public authority will supply the wastewater disposal service needed.

2. If the use is to rely upon nonpublic wastewater disposal, the applicant shall demonstrate that adequate means of wastewater disposal, including domestic wastewater and wastewater used for cooling or industrial purposes, have been provided and approved by the Sewage Enforcement Officer and/or the Pennsylvania Department of Environmental Protection.

I. **Power Supply**

1. If the applicant proposes to connect the Data Center to the electric grid, the applicant shall provide documentation from the applicable electric service provider certifying that that the necessary capacity is available, and that electric service provider will serve the Data Center. Known impacts on electric rates or availability for other uses directly attributable to the Data Center project shall be noted.

2. Any energy generation system designed or used to supply power directly to a Data Center during normal operations, including solar, wind, fossil fuel, or nuclear energy generating systems, shall not be considered part of the Data Center use. Such systems shall be considered a separate use and shall be approved according to the zoning regulations applicable to such use.

J. **Emergency Management**

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

   a. Be reviewed and accepted by the local fire department and emergency management services as part of the conditional use and land development process;

   b. Include detailed procedures for fire suppression, containment, ventilation, and evacuation;

   c. Include an evaluation of the access roads and hydrant locations within the site to ensure suitable access for emergency equipment within the site;

   d. Ensure that all first responders receive adequate training specific to the installed system;

   e. Include provisions for annual fire safety inspections demonstrating compliance with fire safety standards to be performed by a qualified professional on behalf of the Data Center.

2. Any Data Center 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 must include fire suppression systems designed specifically for battery storage.

3. No Data Center shall be approved unless the applicant demonstrates that procedures for fire suppression, containment, ventilation, and evacuation are sufficiently protective of public health, safety and welfare.

K. **Aesthetics**

1. Any Data Center and Data Center Accessory Use building façade that faces a road, any zoning district adjoining the I - Industrial Zoning District, or existing residential use must incorporate at least two of the following design elements every 150 horizontal feet:

    a. A change in building material, pattern, texture, or color;

    b. A change in building height;

    c. Building step-backs or recesses having a minimum depth of five (5) feet;

L. **Parking**

Data Centers are to be provided with at least one parking space per 8,000 square feet of floor area designed and intended to be accessible regularly by employees, or one parking space for every one employee, based upon the maximum number of employees on site during the largest shift, whichever is lesser.

M. **LEED Certification**

LEED certification is strongly encouraged.

N. **Pre-Application Meeting**

Due to the potential impact of Data Centers on residents, Township property owners and businesses, and local infrastructure, applicants for conditional use approval of a Data Center are encouraged to schedule and participate in a meeting with the Township Zoning Officer and Township Engineer, and Township Solicitor, if necessary, (collectively, "Township Professionals") prior to formally submitting the application to the Township. The purpose of the meeting would be for the applicant to educate the Township Professionals about the project and any anticipated impacts on local residents related to infrastructure capacity. The cost of the Township Professionals' time shall be paid by the applicant, and the Township may require an escrow be deposited with the Township prior to the Township Professionals participating in the meeting. Applicant shall request that the meeting be scheduled at least 30 days prior to the date the applicant expects to make its submission of a formal application for conditional use approval. Prior to, or at the pre-application meeting, the applicant shall provide "will-serve" letters, to the extent applicable and available, from water, sewer, electric, and fiber infrastructure providers confirming that existing or planned systems can support the project at full build-out, and not just in phases.

TOWNSHIP OF ELDRED

MONROE COUNTY, PENNSYLVANIA

SECRETARY CERTIFICATION

I, _____, duly qualified (Assistant) Secretary of Eldred Township, Monroe County, Pennsylvania, hereby certify that the foregoing is a true and correct copy of Township Ordinance # 2026 - __ duly enacted by a majority vote of the Eldred Township Board of Supervisors at a regular meeting held on _____, 2026, and said Ordinance remains in effect as of this date.

IN WITNESS THEREOF, I affix my hand and attach the seal of Eldred Township, Monroe County, the ____ day of _____ 2026.

Township of Eldred

Monroe County, Pennsylvania

_____ [SEAL]

_____,

Township (Assistant) Secretary