DATA CENTER CONCERNS

Taylor Township Board of Supervisors • Blair County

As public officials, we fully acknowledge and respect that many residents have sincere questions regarding the potential local impacts of data center development. Open, constructive public discourse is a vital component of local governance. However, the escalation of personal attacks, unverified accusations of corruption or non-disclosure agreements (NDAs), and overt threats directed at township officials cannot be tolerated. We have repeatedly invited anyone with evidence of unethical behavior to present it through proper channels, and that invitation remains open. We owe it to our community to maintain a safe, respectful environment where all sides can be heard without fear of retaliation.

Our priority is to ensure that any potential development benefits our community while protecting our quality of life. For any data center project to move forward, a company must definitively prove it will meet the following strict criteria:

- Provide comprehensive sound mitigation to eliminate negative community impacts.
- Demonstrate responsible water usage that protects our local resources.
- Ensure full environmental safety compliance.
- Absorb all infrastructure and grid-related costs.

1. Ordinance Coverage and Regulatory Protections

Existing Protections: Some residents have raised concerns regarding the fact that our local ordinance does not address certain issues in detail. It is important to note, though, that many specific issues are already heavily regulated by state law. In many such cases, municipalities are not permitted to regulate those issues, though our local ordinance can – and does – require that the developer demonstrate it has obtained all necessary state approvals. That general rule applies to all developments, but with respect to data centers in particular, there also are additional state considerations, including Governor Shapiro's Executive Order 2026-05 and other similar state-level environmental mandates.

The Purpose of Impact Studies: Critics have noted that an impact study has not yet been conducted. Legally and practically, a comprehensive impact study cannot occur until a formal, detailed plan is submitted by a developer. A study of any kind must be based on concrete engineering data, not hypothetical scenarios.

The Review Framework (PA Municipalities Planning Code): Residents have expressed skepticism because developers choose and fund their initial sound and environmental studies. Under the Pennsylvania Municipalities Planning Code (MPC), this is standard legal procedure. However, the township retains absolute oversight:

1. **Initial Studies:** The developer pays for and submits initial reports, which must strictly adhere to the guidelines and mathematical models established by local and state laws.
2. **Independent Municipal Audit:** The township—not the developer—selects independent professional consultants (the Municipal Engineer, third-party traffic engineers, etc.) to audit and review those studies. This independent review is funded entirely by a developer-paid escrow account under Sections 503 and 510 of the MPC. The developer has no say in who the township hires to review their work.

2. Ordinance Enforcement & Remedies

Data Center Ordinance Enforcement: Beyond Just Fines

A common misconception is that the Township can only issue daily fines when a developer violates our Subdivision and Land Development Ordinance (SALDO). In reality, Section 1206 (Preventive Remedies) gives the Township several powerful legal tools to ensure full compliance and protect the community. If a violation occurs, the Township has the legal authority to take the following actions:

- **Stop Misconduct and Demand Corrections:** The Township can file lawsuits or take legal action to instantly halt illegal construction, correct violations, stop unauthorized property use, and recover financial damage caused by the builder.
- **Deny Future Permits and Approvals:** If a property is developed in violation of Township rules, the Township can completely freeze the project. This means withholding building permits or blocking any further approvals to improve or expand the property until the issues are completely resolved.
- **Conduct On-Site Inspections:** To ensure everything is built exactly as promised, official Township representatives have the right to enter and inspect the property or buildings at any reasonable hour. This includes regular check-ins during construction to verify that the work matches the approved community plans.

3. Legal Limitations and Local Authority

No Moratorium Power: The township does not have the legal authority to enact a "time-out" or a freestanding moratorium on development. The Pennsylvania Supreme Court (Naylor v. Township of Hellam) ruled that municipalities lack the statutory authority to freeze land applications.

Zoning vs. SALDO Limitations: Because Taylor Township operates under Article V of the Municipalities Planning Code (Subdivision and Land Development Ordinance—SALDO) rather than any of the MPC sections that regulate zoning, our authority is legally confined to a review of the engineering and physical design (drainage, roads, lot lines). Under the MPC, if a developer submits an administratively complete land development plan application, the township has a mandatory legal duty to accept and review it. Attempting to unlawfully reject or stall a submission risks a "deemed approval," which would legally strip the township of its oversight and automatically approve the project.

Our Core Requirements: If a project proceeds, the data center company must definitively prove they will mitigate community noise, limit water usage, remain environmentally safe, and fully absorb all infrastructure and grid costs.

4. Community Feedback and Perspective

Silent Support: We have received positive feedback regarding the economic benefits a data center could bring. However, due to the hostility and online ridicule faced by supporters, many residents have requested anonymity and choose to only speak with us in private. Every resident has a right to evaluate the pros and cons of this project without fear of verbal or physical retaliation.

Historical Context: Modern data centers present an entirely different, vastly cleaner profile than the traditional heavy industries of our region's past. For decades, the community accepted the severe environmental and physical realities of the local paper mill. This history included chronic noise, pervasive odors, toxins, and widespread health issues—such as hearing loss, long-term respiratory ailments, permanent workplace disabilities, and several tragic employee fatalities over the years. This is in addition to acute industrial hazards, such as the major 1988 Appleton Paper toxic chemical fire and explosion that forced the midnight evacuation of 2,000 residents. Properly managed, a modern technology infrastructure facility represents a significantly safer, cleaner, and lower-impact alternative for our economic future.

The Taylor Township Board of Supervisors will continue to execute its duties strictly by the book, utilizing every layer of state and local law to protect the interests, safety, and financial well-being of our residents. Our board remains fully committed to vetting every proposal with rigorous oversight and absolute transparency to safeguard the future of our community.