



CONEWAGO TOWNSHIP

York County, Pennsylvania

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Workshop Meeting Minutes
Draft Data Center Ordinance
Bible Baptist Church
4190 Susquehanna Trail, York PA 17404
Thursday August 20, 2026, 6:00PM

1. Call to Order: Mark Stivers, Conewago Township Manager, called the meeting to order at 6:00PM
2. Welcome and Introductions: Mr. Stivers introduced himself and those in attendance. He also explained the rules for the meeting. Those present included the Board of Supervisors; Lorreta Wilhide and John MacDonald, the Planning Commission; Fritz Neufeld, Daryl Hull, Brandon Musser, Larry Kauffman, Ben Parks; the Township Engineer; Derek Rinaldo, Attorney Brett Flower, and Sound Engineer; Michael Spencer.
3. Mark Stivers explained an Executive Order was signed by Governor Shapiro on 08/19/26. Mark explained the township was still in the 180 day moratorium. The Executive Order got rid of fast tracking, required renewable energy be used (32% by 2035), required the data center has to pay for the energy they use, the data center could remain Tax Exempt but would have to meet certain criteria to get the tax break, does not allow for "contract zoning".
4. Mark advised the landscaping portion of the Draft Ordinance has not been updated because he has decided to create a stand along landscaping/buffering ordinance to go along with all land development plans.
5. The following are the changes that were made to the Draft Ordinance after the last meeting in July.
 - a. Increased setback
 - b. Max height of building changed to 70 ft with 50 ft accessory buildings
 - c. Kelvin scale dropped lower
 - d. Sound-Sound Engineer Mike Spencer to discuss further
 - e. Water use-no single pass water cooling system/ must be a closed loop system
 - f. Environmental Use Standards
 - g. Rooftops designed to hold solar panels
 - h. Emergency generators
 - i. Spill containment
 - j. LEAD certified building (clean/green)
 - k. Map overlay changed
6. Questions and comments by the public
 - a. Jamie Lagana wanted to know why the roof was required to hold solar panels and not run on solar. Attorney Flower advised the Township cannot require the data center to run on electric.
 - b. Unidentified woman asked if the overlay map got bigger or smaller
Mark responded and stated that the overlay boundary did get reduced in total area while still being in compliance.

She then asked about the purple part of the map at the top of the overlay and why it was cut out. Mark answered that that parcel does not include 100 acres. The woman then said that by allowing 100 acres it seems like the township is inviting HyperScale Data Centers. Mark answered that the developer for a data center would need to buy land in the overlay area. Cherie Rippetoe then asked how many acres were in the industrial zone. There are 744 acres of industrial land within the proposed overlay zone.

7. At 6:25PM Mike Spencer was introduced to talk about sound. Mike has been working in the sound arena since he was 19 years old. He has been working with Data Centers for over 30 years. He wanted everyone to know that the data center topic is very fluid, that technology is changing constantly and what we see now will not be what we see five years from now. He provided some examples of what Archbald Township PA is seeing with their Data Center Building.
 - a. Mike explained the Data Centers are processing AI. Chips go in the building, but the chips generate heat. That is why the processors need to be cooled. There are both condensers and compressors at a Data Center and these are the equipment that requires cooling. Compressors are what make noise. Each Data Center is a stand-alone power plant. 1.6-2 giga watts of energy. Think broadly, Data Center developers have deep pockets. Making things quieter costs the developer more money. Most generators are run on diesel. Some centers are self-powered and then don't fall under EPA guidelines.
 - b. A study to show the ambient sound will determine what is already in that area. This should be accomplished by having developers do steady sound level studies. Mike suggest 48 hours.
 - c. A 3 decibel change is the least that can be heard. At 5 decibel you can definitely hear a difference. 10 decibels, you will register that something is twice as loud. By limiting sound to 5 decibels, it will be noticeable but not distracting
 - d. A lot of ordinances are exempting the emergency generators from sound studies. When the state declares an emergency, the ordinance does not apply to the Data Center and how it operates. Mike suggests taking the emergency exemption out of the ordinance.
 - e. The more generators there are, the more testing that needs done.
 - f. Generators should be a regular part of the ordinance
 - g. There should be time limits for the testing including nighttime restrictions. 10AM-4PM is the least disruptive time period for testing.
 - h. The Township has the ability to hire an acoustic engineer. Make sure there is criteria for hiring the correct engineer. A consultant hired by the township is paid for by an escrow account provided by the developer.

General questions were asked by the public in regards to the sound engineer.

- Q. How does the height of a data center building impact how sound interferes in the area?
- A. Mike agreed that the taller a building is, the further the noise carries. He suggests lowering the height of the building to the lowest level (70ft)
The data center ordinance is being written to try to avoid the badly built data centers that have noise issues.
- Q. If violations are found, does the developer have to fix the problem?
- A. The Data Center has 30 days after notice sent notifying them of the zoning violation to get into compliance. Part of the overall zoning ordinance has a remedy section which is a \$500 a day fine per the municipal code.

- Q John MacDonald, asked if we can add into the ordinance that if there is a violation we can put an injunction in place.
- A Attorney Brett Flower says no. Must go to court to get an injunction. The fine is \$500 a day.

James Zander

- a. Talked about low frequency sound vs infrasound (can't hear .5hrtz-20hrtz).
- b. Says if we can perceive infrasound, "its an issue". He asked about an international standard for measuring infrasound.
- c. Low Frequency Sound can still disrupt sleep.
- d. Can regulate audible sound but difficult to regulate infra sound.
- e. Sound can cause major issues in health.
- f. Can it be put in the ordinance that if more documentation becomes available for A weighted and C weighted regulations, it be added in.
- g. John MacDonald advised the ordinance is going to be fluid, and it will change as technology changes.
- h. The ordinance needs to be Legally Defensible and Enforceable.

Daryl Hull (Planning Commission)

- a. Asked about the fines for the data Center
 - i. Attorney Flower answered it is \$500 a day
- b. Recommended the well testing be put in the ordinance
- c. Recommended changing the yard width and setbacks
 - i. Secondary Containment- State Law Handles this. Secondary Containment is always changing
- d. Asked if a Certificate of Occupancy could be pulled If a data center is not in compliance with ordinance.
 - i. Attorney Flower answered that a COO could not be pulled
 - ii. John MacDonald advised the ordinance is becoming more and more restrictive.
- e. A lot of comments were made about testing wells.
 - i. Attorney Flower commented that making data centers test wells won't work as none of the warehouses in the township have to test wells.
- f. Someone asked if data centers are going to pay for medical bills/livestock bills.
 - i. Attorney Flower indicated this is not something that can be added to a zoning ordinance.

Derek Rinaldo of CS Davidson advised the draft ordinance is pretty restrictive as written. Maybe a data center won't want to come to Conewago Township.

Lorreta Wilhide stated she does not want the ordinance to be too restrictive that it gets challenged.

Cherie Rippetoe

- a. 70 feet is still to high for the height of the data center. Should be 50 feet-more reasonable.
- b. John MacDonald agreed with Cherie and suggested lowering the height to 50 feet.

Jennifer Fry

- a. Not present but had a prepared statement read by someone else.

Melissa Meador

- a. How does the draft ordinance get adopted and in place before the moratorium ends?
 - i. Mark Stivers advised the goal is to have it in place by December 2026.

Jamie Lagana

- b. Sent us a data center ordinance from Potter County. Did anyone look at it? How are we going to enforce the data center stuff when we can't enforce the little things.

Another draft ordinance meeting for data centers to be held in September.

With no further questions or comments the meeting was adjourned at 8:58PM.