

**COVINGTON TOWNSHIP SUPERVISORS
PUBLIC HEARING ~ ORDINANCE 2025-03
JULY 24, 2025 at 6:00 p.m.**

The Covington Township Board of Supervisors held a public hearing on Thursday, July 24, 2025, at the Moffat Pavilion, Moffat Estate, 20 Moffat Drive, Covington Township, PA 18444 for the purpose of considering an application received by 1778 Rich Pike, LLC. to re-zone the subject properties (tax map #'s 2190302000601; 22601020001; 22604020001; 23202020001; 2260401000201; 22604010002) from RR (Rural Residential) to DCET (Data Center, Energy, and Technology) and consider adoption of Ordinance #2025-03, an Ordinance Amending the Covington Township Zoning Ordinance of 1989, and All Subsequent Amendments to Establish the Zoning and Standards for the Establishment, Construction, and Operations of Data Centers, to Allow for the Integration of an Allowed Industry While Providing for the Protection of the Public's Health, Safety, Morals, and General Welfare. The hearing was delayed in starting due to the long line of attendees waiting to sign in. A total of 324 signatures were received for this public hearing. Chairwoman Kearney opened the public hearing with the pledge to the Flag at 6:30 pm.

There were present: Chairwoman/Secretary Melissa Kearney, Vice Chairman F. Marshall Peirce, Supervisor William Willson, Supervisor Wanda Andreoli, Supervisor William Beavers, Attorney Joel Wolff, and stenographer Laura Lakes.

After opening the hearing, Chairwoman Kearney turned the hearing over to Attorney Wolff, who advised the public that an application had been received requesting a zone change to allow for data centers and the only reason for the hearing was for the board to consider adopting an Ordinance to change the current zoning to allow for data centers and their related uses. There will be no discussion of land development at this hearing. Atty. Wolff reviewed the proposed ordinance and explained sections of it.

Exhibits:

Township #1: Application of 1778 Rich Pike, LLC. requesting a zone change which included an exhibit map, received on April 29, 2025

Township #2: E-mail sent to the Scranton Times for the legal advertisement along with a full text copy of the proposed ordinance for public review

Township #3: Proof of publication in the Scranton Times on June 26, 2025

Township #4: Certified Letter, with return card, notifying the applicant of public hearing

Township #5: List of (17) adjoining property owners and (5) property owners of the affected properties notifying them of the public hearing date

Township #6: Copies of the letters sent to the (17) property owners and (5) property owners notifying them of the public hearing date which included a copy of the Scranton Times legal advertisement

Township #7: E-mail granting permission to post properties

Township #8: (8) Affidavits for posting of properties for proposed zone change

Township #9: Public hearing notices posted: (157) posted on property lines; (1) at municipal office; (1) on website; and (5) at pavilion

Township #10: Proposed Ordinance #2025-03; An Ordinance Amending the Covington Township Zoning Ordinance of 1989, and All Subsequent Amendments to Establish the Zoning and Standards for the Establishment, Construction, and Operations of Data Centers, to Allow for the Integration of an Allowed Industry While Providing for the Protection of the Public's Health, Safety, Morals, and General Welfare

Township #11: Proposed Zoning Map showing new DCET zone

Township #12: Comments from Lackawanna County Planning Commission

Township #13: Comments from Covington Township Planning Commission

Township #14: List of names, dates, and letters of concern, received regarding data centers (Atty. Wolff read the list of names and dates (61 in total) of the letters received)

Township #15: Proposed Senate Bill 939; Establishing the Office of Transformation and Opportunity to Oversee Issues Related to Artificial Intelligence, Data Centers, and Emerging Technologies

Applicant's Comments: *Anthony Maras, attorney representing 1778 Rich Pike, LLC. explained there are currently no plans in place for the building of a data center, this hearing is only for the purpose of zoning an area to allow for data centers. He explained why the data center is looking at the current proposed location. Mr. Maras presented and questioned two (2) witnesses: Mr. Keith Ottes (registered professional engineer) and Mr. William Westhafer (registered architect). Mr. Maras also presented the following exhibits:*

Applicant Exhibit #1: A biography of Keith Ottes, PE, PP, CFM

Applicant Exhibit #2: A biography of William Westhafer, AIA, NCARB, LEED

Applicant Exhibit #3: Fiscal Impact Summary for the Gouldsboro Data Center Facility, Covington Township, Lackawanna County, PA

Applicant Exhibit #4: Fiscal Impact Summary Covington and Clifton Townships, Lackawanna County, PA

Public Comment: *Many attendees of the hearing spoke on their opinions of the data center and asked the board to postpone voting on the ordinance until a future date.*

Executive Session: *After hearing all attendees speak, Chairwoman Kearney called for an executive session at 9:54pm.*

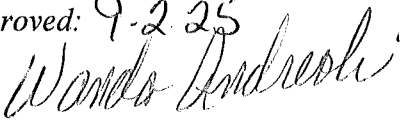
Supervisor's Comment: *Attorney Wolff called the public hearing to order at 10:25pm immediately following the executive session and asked if any supervisors wanted to speak. Vice-Chairman Peirce spoke, advising the public that a lot of the concerns raised this evening would be addressed in the Subdivision and Land Development Ordinance (SALDO), which will also need to be changed to address Data Centers and their related uses. He commented on the challenges faced by Clifton Township regarding the validity challenge that has been filed on behalf of the developer, that is currently in the courts. Atty. Maras explained the two (2) challenges that are currently being addressed with Clifton Township (one for validity going before the zoning hearing board and one for procedures going before the court of common pleas). Vice-Chairman Peirce continued to comment on the land development process, higher government, and water usage but after he didn't answer a question from the audience, the public began speaking loudly over him and would not allow him to finish, he then turned the microphone over to Supervisor Willson for comments. Supervisor Willson seconded Vice-Chairman Peirce's comments advising he will be voting with Vice-Chairman Peirce to approve the Ordinance. Supervisor Andreoli advised that all supervisors also live in the township and asked that the public listen to what was being said. The discussion became heated very quickly and Chairwoman Kearney called for a vote on the ordinance.*

Vote: *Chairwoman Kearney called for a vote on Ordinance #2025-03, an Ordinance Amending the Covington Township Zoning Ordinance of 1989, and All Subsequent Amendments to Establish the Zoning and Standards for the Establishment, Construction, and Operations of Data Centers, to Allow for the Integration of an Allowed Industry While Providing for the Protection of the Public's Health, Safety, Morals, and General Welfare. Roll Call Vote: Chairwoman Kearney, yes;*

Vice-Chairman Peirce, yes; Supervisor Willson, yes; Supervisor Andreoli, no; Supervisor Beavers, no. Ordinance #2025-03 has passed with a vote of 3-2.

Adjournment: The hearing adjourned at 10:33 pm.

Respectfully submitted:
Melissa Kearney, Secretary

Approved: 9-2-25


This is not the official record of the public hearing. The stenographer's record is the official record of this hearing.