

**GREENE COUNTY PLANNING COMMISSION
93 EAST HIGH STREET
WAYNESBURG, PENNSYLVANIA 15370**

Meeting Minutes FOR December 17th, 2025 Rescheduled

- I. PLEDGE- **Lead by Julie Gatrell**
- II. INVOCATION – **Jim Goroncy Board Member**
- III. CALL TO ORDER – **Julie Gatrell called the meeting to order at 6:03**
- IV. ROLL CALL – **Jim Goroncy, Brian Sokol, Charles Lemley, Julie Gatrell, Clint Blaney, Jason Nickolson, Greta Mooney, George Scull, Mary Bokat**
- V. APPROVAL OF THE MINUTES – **November 3rd, 2025 – Brian Sokol made a motion to approve the meeting minutes and were seconded by Clint Blaney. All were in favor**
- VI. PUBLIC DISCLOSURE: **Julie Gatrell read statement below**

This is a standard disclaimer. If you have a conflict of interest on any particular item, you are duty bound to disclose it.

- VII. EXECUTIVE SESSION (as-needed) - **Charles Lemley made a motion to go into executive session for legal advice and Brian Sokol Seconded. All were in favor.**

Jason Nicholson made a motion to come out of the executive session and was seconded by Brian Sokol. All were in favor.

- VIII. LAND DEVELOPMENT- **Michael Columbus was the representative for the Dry Tavern Pole building. Kyle Lamb read off the description of the land development and opened the floor for questions. No public comment was given.**

Mary Bokat made a motion to approve the Dry Tavern Pole building for preliminary approval and was seconded by Greta Mooney. All were in favor.

A.	Dry Tavern Pole Building
Township	Jefferson Township
Zoning	C – Commercial
Site Control	15-08-312, 15-08-311, 15-08-310, 15-08-309, 15-08-308
Driveway Permit, parking and utilities	Road Access: Frick Avenue/Cox Street Utilities Water: Southwestern Pennsylvania Water Authority Electric: First Energy Sewerage: Dry Tavern Sewage Authority
Stormwater	Greene County Planning Commission and Greene County Conservation District

Conservation District/PADEP	Greene County Conservation District
Total Area of Interest	0.81 Acres Total 0.40 Acres Disturbed
Narrative	It is the intent of this plan to: Construct a pole building with a stormwater control structure for the Southwestern Pennsylvania Water Authority.
Approval Requested	Preliminary Approval

Discloser: The section below is a transcript from the meeting recording.

A.	Hummingbird Land Development
Township	Monongahela
Zoning	No
Site Control	16-02-171, -172, -151, -153, -154-A, -161, -162, -163, -164, -162, -06-118
Driveway Permit, parking and utilities	Road Access: Alicia Rd. Utilities Water: SPWA Electric: First Energy Sewerage: Monongahela
Stormwater	Greene County Conservation District - E&S plan
Conservation District/PADEP	Greene County
Total Area of Interest	413 total acres, 309 disturbed
Narrative	It is the intent of this plan to: Grading and reclamation of former mining lands to prepare for future industrial/commercial use. Will utilize erosion and sediment control measures and sediment basin design.
Approval Requested	Final Approval Phase 1

David Spigelmyer, Stated the Allegheny Conference of Community and Economic Development, they're the largest economic trade association in western Pennsylvania. The study that they've completed would suggest that direct, indirect, and induced jobs will be 1,500 jobs annually over each year for six years. That's just on the Power Island alone.

If there is an end user on site, I think **Josh Schroeder** mentioned one item that I wanted to clarify for you, I made the comment that our Power Island will use roughly 8 million gallons of water a day. Josh Schroeder mentioned 17 million

gallons pass the site per minute. We will likely permit for 17 million gallons per day, knowing that if there is an end user on site, they may need cooling capacity as well. **David Spigelmyer** spoke up: But again, that's about one minute's worth of water that passes by that site daily. Again, if there is an end user on that site, a data center specifically, the Allegheny Conference study would reveal indirect, direct, and induced job impacts of about 1,500 jobs annually for each year for six years, and that's during the phase of development. **David Spigelmyer**, I wanted to share with you our partners and the folks that we've worked closely with. Many of you know that our first tranche of funding came from Essentially Utilities. Essentially Utilities is the owner of People's Gas Company. People's, we work very closely with them. International Electric Power is the company that employs me and the gentleman behind me. They're out of Sewickley, Pennsylvania. Over on the right side of my slide here, collaborating with stakeholders. I think Josh Schroeder suggested this to you and I did as well. We're working with all members of your community. We've conducted a public meeting at a venue here in Greene County to try and engage local residents and have a conversation with them. We're working with the governor. We're working with our U.S. Senate delegation, our House member, Congressman Guy Reschenthaler, State Senator Barralotta, State Representative Bud Cook, Greene County Commissioners Mon township supervisors, and school district. Again, we want to be here for the long haul. We want to work with your community. The key community concerns, I'll kind of readdress some of those issues. Grid reliability and electric bills. A lot of folks are talking about data centers having an enormous impact on the grid. I will tell you the ones that seem to be gaining the most traction are the ones that have secured their own power. So, they're not leaning on the grid for power but potentially placing power back onto the grid. Over the last 15 years, we've retired pretty much every coal plant in the Commonwealth of Pennsylvania and we've done very little to replace it with wind and solar. A really, really difficult thing to do in Pennsylvania. So natural gas has been the logical choice to try and fill that gap. We will use natural gas to generate our own power on site and as I said before, if we have excess power, we will put it back onto the grid and we will put an application into FERC and PJM to do just that. Water use and river impacts, I think I read last night of a community meeting where they were talking about Project Hummingbird dumping poor water into the Mon River. I shared this earlier and I want to repeat it. There will be no discharge from our plant into the Mon River. Noise, light and construction impacts. As I said before, these are state-of-the-art facilities. They're housed and we will work to make sure we'll be required to make sure we have no more than 55 DB at the fence line of our facility. We'll also work with noise and construction impacts. This location is an old brownfield. We believe over time we can improve that site.

I know that some of you like to hunt out there, some of you like to four-wheeler out, use your four-wheelers out there, but the police actually caught us after the community meeting and made a comment that all that acreage is posted today. So, I would warn you not to be riding your four-wheelers out there right now because they're watching that pretty closely. We'll work really closely with the community to make sure our site is state-of-the-art and is repaired over time and a betterment from what it is today. That's all we have. We're happy to answer your questions and thank you very much.

Kyle Lamb read off what this project is under land development. Okay, so we have Project Hummingbird is a land development located in Mon township. There is no zoning. The site controls 16-02, 16-02, 171, 172, 151, 153, 154-A, (5:26) 161, 162, 163, 164, and 188. Road access is off Militia Road. Utilities SPWA, First Energy, and Mon Sewage. The total acres of disturbance are 309 acres. Their narrative is grading and reclamation of the former mining lands to prepare for future industrial and commercial use and will utilize erosion and sediment control measures and sediment basin design. And they're here for final approval for phase one.

Tom King I'd like to say, before we move to public comment, that those who have signed up to speak, we will go down through and call the names. But please be respectful of others. Everybody has their own opinions and things. Just be just be respectful of others. So, we will move to do that. Kyle will be the timekeeper and he'll politely let you know when your three minutes is up and try to wrap it up when you get to that point, please. We have about 16 people to speak. Please be respectful of the people that you're with here and the people that you're talking about and say what's on your mind. Give your name and whether you're a resident of Greene County.

So, we want to start off with **Lisa Souden**. Lisa, thank you. So, I did have a few questions because I've done a little bit of research regarding these. You state that you have not had anyone locked in for this data center, correct? Okay, but on your timeline, you showed that it was between 2026 and 2028 that there will be data center construction on that timeline. Can you explain that? It specifically said construction though.

David Spigelmyer Yeah, I think so. That's our goal.

Another question that I have. You state that the cooling system is state-of-the-art and uses evaporative emissions.

Why not use a closed cooling system that would use recycled water? **David Spigelmyer** First of all, it doesn't use recycled water. It uses primarily glycol and it's about five times more expensive and more or less efficient. **Lisa**

Souden Plus, noise. Plus, it's about three times basically cost for you guys. Do you receive any tax abatement for this project? **David Spigelmyer** We've not sought tax abatements from anyone at this point. At this point. **Lisa Souden** Are you, with this project, are you going to be receiving the tax exemption on the materials used? **David Spigelmyer**, I believe that's a sales tax exemption and likely the sales tax exemption applies to everyone that's on the data center side in Pennsylvania.

That's done by the legislature not by IED or by Project Hummingbird. That's a legislative item, ma'am. **Lisa Souden** is that yes, or no? **David Spigelmyer** That's the law. Yeah. So, everyone in the state would do the same thing. We have a manufacturer's exemption for sales tax in the commonwealth of Pennsylvania. It applies to every manufacturer in the state. Okay. Including us. Every manufacturer in the commonwealth has a sales use exemption tax credit.

Okay. Have you done any research with the Ohio River Valley Institute at all? **Kyle Lamb** That's the three minutes.

Next is **Pat McAndrews**. Thank you. Hi everybody. My name is Pat McAndrews. I'm sure a lot of you folks know me. A lifelong resident of Greene County. Just wanted to say I hear every day people are looking for something to happen in Greene County. Really look hard at this because this is a potential to make our county better. If it's done correctly, no pollution, no problems, it's heavily regulated. It could be the start of something. Everybody wants something but nobody will allow anything to get started. So really, really look at the truth. Do your research, unbiased research and find out the actual facts. And you know we want Greene County to be better and we need to do it safely and this can be done that way. So, thank you.

Next **Andrew Buckton**. So, I'm going to start with some information taken right from the Planning Commission's website. The vision of the Planning Commission is focused on promoting the safety and the security of its community by following smart growth practices. There is an entire room full of people here that don't look too sure that this is safe. I think they're more concerned about this than that pole building that you guys were talking about earlier. To start out, I wanted to ask you guys a question. A lot of this water is going to evaporate as you said. That's water straight from the river, correct? **David Spigelmyer** It is and its steam. **Andrew Buckton** Okay, what do you guys know of any cancer-causing chemicals that are in the Mon River currently? **David Spigelmyer** So water will be treated before it goes there. Essential Utilities is the parent of Aqua. There'll be an industrial water treatment facility before water will be used for

cooling in our site. Okay. It needs to be potable water basically to go into these high-tech turbines. **Andrew Buckton** All right. In the past meeting minutes, I've noticed that there was a lot of talk about a kayak ramp and you guys were talking about updating the SALDO guidelines for this. Could you guys elaborate on why you want to do that and if it has anything to do with these upcoming data centers? **Kyle Lamb** So the SALDO hasn't been rewritten since 1995. We have been rewriting the SALDO and working on rewriting the SALDO since about 2021.

So, this is just an update so we can modernize the SALDO. It has nothing to do with data centers.

Andrew Buckton For the planning commission, you guys have said that this has to go through the DEP and a lot of other agencies. The ball's in your court currently. You can see all these people. They can see you and there's no way that this meeting can't just adjourn. There needs to be multiple meetings touching on this. There's a lot of concerned people out there and a lot of them haven't spoken yet.

Erin Pierson Good evening, everybody. So, I just want to start by using Greene County's own vision statement because those words set the standard for every decision made. It states we envision a future where every resident thrives, where equity and opportunity come first, where collaboration, transparency and compassion guide progress, where sustainable development protects the well-being of all.

One county under God. So, my question tonight is simple. How does this data center proposal reflect that vision? When nearby residents worry about water use, noise, safety and property values, that does not feel like equity.

When people feel they are hearing details late in the process, that does not feel like transparency. When community concerns are treated as problems instead of partnerships, that does not feel like collaboration. Sustainable development means more than jobs or tax numbers. It means protecting our land and water. It means making sure our infrastructure can handle what is being built. It means preparing our fire departments and emergency services for new risks before they happen, not after. You also speak of compassion and well-being for all. That includes the families that are going to be living next to this project, the volunteers who will be called if something goes wrong. And when you say one county under God, that means stewardship. It means we do not sacrifice the few for the benefit of the powerful. It means decisions should protect our people first. So, if this project truly fits your vision, then show us. Your words matter. Now your actions need to match them.

Stephanie Lemley. I just have a general question. The original site plan, my property was included on it as an advertisement. Like almost like as if it was owned originally by you guys or something. It was just part of the site plan. And now about where it was behind my property. So, I'm just curious how many times did this board, when you moved, the original plan had my property included in it. The original plan had my property moved into it and now its behind, board is behind my property. I'm just curious how many times the board is going to be moved. And also, do you need to be more educated about this before we decide, you know, to go on with this? I think because there are a lot of people that weren't educated about any of this. They were told too late. A lot of people couldn't come to the meeting because they were told too late. **Josh Schroeder** for the first site plan, we were using GIS parcels.

Josh Schroeder, we have since had survey, have had surveyors on the project. We obviously cannot build outside of the property that is owned by the group. So, anything that was done that you saw before was a GIS. GIS is off by 20 to 40 feet easy. So, once we have that settled with survey, it's been honed in and it's within the site plan. **Stephanie Lemley** But also, because I'm so close to that, how is that going to impact my life? I'm in the way. I'm like only a few feet away from it.

Josh Schroeder, we have setbacks throughout the site. So, we have, I think, 100 feet minimum. what I'm saying is we have setbacks out of 100 feet minimum and that's the closest one is the one off of Alisha that's 89 to the site access and it'll probably... that's just at the top of the pad not to any buildings. **Josh Schroeder** the phase one which is the mining reclamation preparing it for a future industrial and commercial land use. So, the chapter 102 erosion and sedimentation control. And then the next phase after that once we get those approvals would be the power generation island. The further cleanup of the site that needs cleanup.

Joyce Boone, I have a couple questions. I have a big concern about what happens if you have some type of accident, requires an ambulance. We have a very small fire company. We have no ambulance service in that fire company. So, are you going to provide any money for equipment, training, whatever for that? And we know there's going to be powerful batteries. Are you going to be storing those on site? And how would you make us feel like you know what you're doing with those batteries? And the firefighters are you going to train them on how to fight fires with these batteries? **David Spigelmyer** So EOS is a non-lithium-based saltwater battery system. They're out of Pittsburgh and everyone will be trained. It's the first time I've heard that you didn't have EMS available. **Joyce Boone** So we need some help with the fire

department and we definitely need an ambulance in the area. Tax payers and jobs help that as well. how will the traffic be addressed at this area? It's a two-lane road and we have one main road which is 88 and then the rest of the roads are all very small roads. So where is all this construction traffic going to go? **David Spigelmyer** So the construction traffic will have to go through PennDOT to get the proper approvals to be able to get the equipment on site. Once that equipment's on site, the plan is to keep all equipment on site and we have access back and forth of what we need to across the project. So, once they're on site, it won't be. Any future traffic would have to be approved when it goes through that phase of the project. **Joyce Boone** So are there going to be more meetings so you can tell everyone how the traffic is going to go and that you got us an ambulance and all these good things you're going to get? Yeah, I appreciate the bringing that up and the concern with that.

We will have to go through all the proper channels to get those permit approvals and so that's not the current phase that we're here for. So, there won't be behind closed doors with the commissioners and the planning commission?

David Spigelmyer I'm not sure what you're referring to.

Nate Kepler Good evening I'm a Greene County resident, an oil and gas worker, and the father of a young child. I care deeply about the future of this community, not just for my family, but for the next generation of Greene Countians who will grow up here. I'm here to voice my support for responsible economic investment at the former Robina coal mine site. This property represents a rare opportunity to be a part of the long-idle industrial site into a productive economic engine that can strengthen our local economy, create jobs, and support our communities. Projects of this scale can bring hundreds of construction jobs, long-term employment opportunities, helping local workers and families thrive. They also help strengthen the tax base that supports schools, infrastructures, emergency services, and small businesses across Greene County. If we do not welcome responsible development, these opportunities will go elsewhere, and our county will continue to struggle to retain jobs and young people. The Robina property has played an important role in our region's energy history, so reinvesting in this site honors that legacy while positioning Greene County for the next generation of energy-supported industries and emerging technologies. Transforming a former coal site into modern productive use is exactly what kind of redevelopment that helps rural communities move forward. Many residents support this project because it creates opportunity for workers, families, and future generations. We want Greene County to grow. We want progress. We want our communities to benefit from new

industries while building on the strengths that already exist here. I want my child to grow up in a county where families can stay, find good jobs, and seek continued investment in their communities. Thoughtful redevelopment at the Robina site can help provide that future. I respectfully urge the Planning Commission to continue supporting this redevelopment effort and to help move this project forward.

Jessica Franks deferred to her father **Andrew Franks** my main concerns were the question of what's it going to do to my electric bill and how much pollution is it going to produce?

I think they've answered those questions a half a dozen times, so I'm not too worried about that. They probably do need to make provision for emergency services and so forth. Yeah, I think you guys should do it.

Bill Malinosky passed. Milana Rice First thing I'd like to say is that I would hope that this would be extended because a lot of people need to ask more questions and this definitely needs to be carried on before it's voted on. I am against Project Hummingbird, the mitigated risk of the mindset of site stability from the DEP's own acknowledgement. The DEP manages the mine subsidence insurance program because abandoned mine lands are inherently unstable with unanticipated earth movement recognized as a public risk. Peer review. This isn't just a guess. This is research. This is peer review research. Evidence confirms that geomorphic land forming and other stabilization techniques require rigorous engineering and long-term monitoring and even then, can't guarantee absolute safety. Recent failures, subsidence, damage to Route 21 in Greene County demonstrates that engineering solutions remain vulnerable. Reclamation versus redevelopment. The public notice describes the project as a reclamation yet the plans include a power plant, water intake and treatment facility, electric substation and multiple data buildings. That is not reclamation. It is an industrial redevelopment on land and DEP's understanding the state is unstable. We should put a trade school there instead of this. Potential violation of federal flood plan law. The project relies on FEMA-certified fill to elevate land out of the 100-year floodplain. This practice may conflict with the National EPA and Executive Order 11988 on floodplain management. The National EPA requires agencies to assess environmental effects and alternatives. Large-scale fill alters water flow potentially increasing flood risks upstream or downstream. It's alarming that this section is scheduled as low risk. The EPA has no final, well they've covered that so I can't even go over that because they've said that it's not a risk but you still have to say worth the discharge of the water that you treat. Benefits accrued to the

corporations while residents bear the costs of pollution and constructive strain and displacement. I mean you guys can't predict the future. You cannot say that this land is not going to be unstable when the DEP and the EPA both say that it will be. I urge the body to reject Project Hummingbird and protect our community's land, water and future and we should build upon our future youth so they learn how to take care of this land. **David Spigelmyer**, I appreciate your comments and I would tell you that our team has been highly concerned about the same. We've been doing core samplings on the site have defined the locations where we have stability. There'll be areas where we put pilings but the subsidence issue is one that we've looked very hard at. We've been doing core samplings for three months to make sure where we would put the power island, we have no subsidence risk.

Louis Vecchio and if anybody was in a bar you were in mine and Jimmy's place. 53 years was long but I dealt with a lot of construction workers that built fire plants. I was located perfect for Fort Martin and Longview so I know that from what I understand the local will be out of Pittsburgh that will be building during the construction the locals. Will be calling from the halls all around that are responsible for Greene County that's correct. **David Spigelmyer** Yeah. Some Pittsburgh one from Latrobe I think the steam fitters for this region's out of Latrobe. Well as far as business goes in southeast eastern Greene, we have no businesses left. **Louis Vecchio** So, if we can get a business that's going to help us with our property tax. I like fishing, a lot of people here like fishing and we had a hatchery right up the stream from where they're going to put this plant. It would be nice to have that hatchery opened up again. The water's there it's treated by Duquesne light and be nice if they'd help us stop even a couple of the streams with travel. There's nowhere to stay for anybody. Well about the only place you're going to get is Waynesburg area. They have the motels. There's none in our area. As far as a rebate on your taxes I don't know. I'd hate to see a five-year one. Well, the jobs probably the jobs aren't going to be a lot. Probably 50 at a power plant like that. I don't know anything. That should be about it. I heard something. I don't know if it's true that out of Virginia they need somewhere to get their power for their data centers and then it might possibly be coming to Dunkard Township. **David Spigelmyer** That has nothing to do with this company.

Louis Vecchio I don't know what how that'll affect us on our grid. That's okay. Well, that should be it for me.

Attina Shumaker I'm of course a resident of Greene County for several years and of course it is a nice place to live. At least I think so. Most people that come to Greene County decide to stay there because it is a nice place to live. I don't

like brownfields either. We have a patch that of course has been sitting vacant as a brownfield and it would be nice to put something on that brownfield that would benefit all of Greene County. My first question is in terms of this so-called power plant I would say if I'm understanding correctly this power plant is primarily for the use of the data processing plant. I think many of you know there's a strong grid infrastructure in Greene County much of it not being utilized today because of the retirement of Hatfield. Well, I know in reading the information that you have here you don't plan to put power back into the grid. **David Spigelmyer** It is our intent to secure the right through FERC and PJM to put power back onto the grid when we're not at full capacity with an end user. **Affiha Shumaker**, that's correct a data center requires a tremendous amount of power, correct? And obviously this particular location is a good place because we do have the gas and so forth. But after six years according to your plan I'm reading it, what benefit are you going to be to this county? **David Spigelmyer** One will be an employer, will be a large taxpayer, will be involved in your community and hopefully you'll have a data center operator that is also doing the same. **Affiha Shumaker** Now the way I understand it, there will only be something like at the max 40 to 50 actual residents of Greene County that will be employed in this particular plant. **David Spigelmyer** On the power plant long term that's probably a fair estimate but the data center is another item and that depends on who the investor is. You're going to create greater tax revenue through the impact fee 60% which stays locally in Greene County and in your townships. **Affiha Shumaker** Well as far as the coal mines are concerned of course they only work for so many years until the coal is gone and when the coal is gone, we're laid flat and we have several counties in Greene County that are pretty laid flat because they don't have any coal anymore so they don't have much employment except for in that case.

Kimberly Barton Greene County resident so I do have a question regarding the FEMA floodplains for the reclamation.

I've seen where it's showing on the plans that there's going to be around 40,000 cubic yards of fill brought into the power island sites and looking at that would be about a 16-foot average lift for that being like my front porch is in the 500-year floodplain. 16-foot lift to that area I mean are I mean that's going to be a drastic change to the floodplain.

Josh Schroeder has to go through FEMA for one right to show that there's no rise and that there's no impact upstream or downstream to go through that. The 16-foot increases to balance the site so we can keep the dirt where it is. The site is expanding it's changing we're preliminary right this is a preliminary hearing we haven't gone through DEP yet because we need to go through here first so as we go through that together that is the plan, we will end up balancing the site

that pad may become smaller and then that would become lower than 16 feet but regardless to answer your question at the end of the day we have to go through FEMA and show that there's no impact up or downstream. **Kimberly Barton**

Okay and that would be done through the CLMR evaluation? **Josh Schroeder** Correct, that's a conditional letter map revision for fill so when you're just doing fill and you're staying out of the floodway you go through that process.

Kimberly Barton So say that you are doing the reclamation and building up for the island and there is a significant change to the floodplain being that a militia residence in there how does that affect our life or what can we do I mean because then we're looking at possible increases to flood insurance and things like that being increased to that area.

Josh Schroeder So to go through it with that process which is the CLMR fill we have to show that there's no impact to anybody else so you couldn't have so if we were having an impact to somebody else or having an impact up or downstream we would have to go through a different process, with CLMR or with FEMA and so it'd be a full conditional letter of map revision not just for fill so either way we have to show that we're not having an impact on other people's property. **Kimberly Barton** Okay, so the goal for that is to then have no impact on the floodplain by building the power island? **Josh Schroeder** Correct.

Tom Barton. I've been a lifelong resident of Alicia for 51 years. Been down there. I've seen the coal mine come. I've seen the coal mine go. At least when the coal mine was there it produced something. It gave something back to the community. But this, this just takes just takes water. It just takes and the only thing that profits are these people. There ain't nobody else that's proper from this. You know what I mean? You know commissioners. Yeah, they're all you know I say what I say but you know whatever it was. But you know just a few other questions I you guys answered a few things like was your tax you know you got how long are you exempt? I built a house I was exempt for three years. You're building a 10-million-dollar operation. 10 billion. I'm sorry. Billion. There should be a lot of years you're going to be exempt. So, wouldn't you get any kickback to the community for that at all? **David Spigelmyer**, I think we're out of battery but I said before we've not asked for tax rebates from anyone. **Tom Barton** Okay and I heard you earlier say that but you don't ask but they'll give it to you. you also say you guys you're going to be good taxpayers. You're going to be good taxpayers all right but I mean I've not had my roads paved in 51 years. So what taxes am I going to get from anybody? Anybody here? Okay that's all I got.

John Thompson I'm a longtime resident of Greene County. I live in Waynesburg. And I have I would like to address my questions directly to the Planning Commission. These questions pertain both to phase one and to the succeeding phases. As we all know this site and this proposal is close to ideal conditions for the type of data center and work that they want to do. We have water, natural gas and an abandoned coal site. It's all available. Okay. My question to the Planning Commission is what are the plans that can be put into practice for setting up a community benefit agreement so that some of the money from this development can go to building up our infrastructure here in Greene County. I'm not here to decide what the needs are of Greene County because many of you people know you already know what the needs are here. There have been studies. There's need for transportation. Our public libraries need support as I know well having worked in one. We have the WiseCarver Reservoir which is still sitting out there. We have a lot of projects here. These people are going to be channeling our resources into billions of dollars that are going to go outside of Greene County almost entirely as best as they can do it. That is their goal. My feeling is that before the contracts are signed that there needs to be a community benefit agreement. That is an organization set up of community residents to receive money on an annual basis from this project to benefit Greene County. Is that a good idea? This is a standard thing. We would not be creating a new thing. We need to do this here. It needs to happen before the contract is signed and I'm talking about multiple hundreds of thousands of dollars a year. We're talking six figures. We're talking at least a hundred and better two, three, four hundred thousand of us. These people are going to be getting rich, okay? We need some of that money here and we have I know we have here tonight. We have a representative from the Greene County Community Foundation. So, there are people here who know how to do this and they know how to do it. They know how to do it. We're not talking about trying to line somebody's pockets. We're trying to build up our community and this is something there are many different needs. We need to be aware of that and we need to get the money ahead of time into a responsible way to spend this money.

Lynn Bussey I'm the Mayor of Waynesburg. I'm really not for this because like he was saying a lot of this money needs to come back into our community. I for one I am the mayor but I'll tell you I struggle every day. I have to take early retirement because of health reasons. I need to put a roof on my house. I can't afford it. You know there's programs out there we need to be funding to help individuals. We're not doing that. I also want to know do you know what PFAS is? Do you know what it is? No? There's PFAS in that river and you're going to heat it up and vent it out into the atmosphere

so people can breathe it. PFAS is a forever chemical. It's in everything. It's in the toilet paper that you wipe your Hind end with. It's in your water. It's in everything. It's bad enough you got to drink it in your water but imagine if you're breathing it into your lungs. It's not a good thing. I'm sorry. They don't tell you these things. It's a forever chemical. Nothing you can do can filter it out. No number of filters no matter what you do you can't take it out if not possible. No matter what you tell no matter what they say you cannot take it out and it's impossible. So, the money means we need to make arrangements of money to come back into this county. Not through a few little jobs that they're going to make and how many of these people are going to come out from other places and come here and move here. They're not going to come to these people standing here that need a job. They're going to come from someplace else and move here. Our people are still going to be unemployed. That's all I got to say. Thank you. I would just say that your county officials have asked us to work with your community technical school to try and train people for some of these jobs and we promise to do that.

Christina Blasinsky I am requesting that a moratorium be enacted until a full impact study can be done and more information that was provided. Will you guys enact the moratorium or continue? **David Spigelmyer** no. **Christina Blasinsky** Okay. How is this going to benefit residents of this county besides the 42 jobs that are being provided? **David Spigelmyer** How about the 1,500 that will come here to help develop this site over the next six years each year? So take a look at the Allegheny Conference Economic Impact Study. It'll give you the full details on the details on the M-Plan model and how they did it. We're talking about 40 to 50 jobs for the power plant alone. The data center is a different story altogether. It's approximately 150 to 200 additional jobs. **Christina Blasinsky** How frequently is air and water testing going to happen? **David Spigelmyer** Fully regulated by the DEP every single day. **Christina Blasinsky** Okay. You've already made many statements that you've gone back on. So how can we trust any of the information or stats that you're providing? **David Spigelmyer** What did we go back on? I'm sorry? What statement did we did we got to adhere to? **Christina Blasinsky** Well, I mean you guys have talked about the taxes. You guys have talked about the water usage and have what so also going to that why are you saying that's going to be 8 million gallons per usage but you're putting in a permit for 17 million? Because of the data center. **David Spigelmyer** If we get a data center investor, they will use cooling water as well. The power island will use 8 million gallons and we've been up front and honest about that since day one. You said we won't be seeing any utility increases. **Christina Blasinsky** How can you guarantee that when other

data centers around the country are seeing completely different? **David Spigelmyer** I didn't say that you wouldn't see power increases in the PJM grid. What I said is our project would not lead to increased power costs because we're going to provide power to the grid not take power from the grid. **Christina Blasinsky** I guess we'll see about that. **David Spigelmyer**, I did I said earlier today earlier when we when we met on this, we thought that the process would be a six-year process through FERC to get power onto the grid. That process is being fast-tracked because of the shortage of power in the PJM's power grid. They're trying to fast track that and we think that if we have excess power available that's not being utilized by a data center, we would put it on the grid and provide you know a softer landing for folks and the ratepayer in Pennsylvania and West Virginia and the region.

Joe Martinak county resident. I noticed that reading through the minutes from the from the last meeting a lot of these questions that people are asking are in the last meeting the minutes from the last meeting and I want to thank the planning commission for trying to bring in jobs to the area and thank you gentlemen for coming in here and taking the fire. I spoke last time at the last meeting we talked about the demographics of the county and the future of the county and what direction it's going. In the 1950s we had 45,000 we now have around 32,000. The county is definitely losing population and as we lose population, we're also losing a tax base and as we lose the tax base then a lot of things have to go by the wayside.

Roads aren't going to get cleared as well. Ambulance service is going to suffer. Our hospital is going to continue to shrink. Less money is going to be going into the schools for students that are here. We have to decide as a community as a county as an area in a region what are we going to do to go ahead and try to bring some jobs back. From what I understand from this project with the AI investment it is everybody has to understand that as long as you have a smartphone you need to have AI. If you want your maps updated in your smartphones, please you'll have your chance to speak. You're going to have as long as we have cell phones this is also a community "cottage industry" as you bring in one job facility other jobs could possibly also come along with that people will come in hopefully, they will go ahead and decide to go ahead and buy a house build a house and then we will go ahead and grow the community in that way. AI is going to affect every aspect of our lives. We can't run from it. It's here. It's already happening. There are going to be a lot of jobs lost that are going to happen because of AI in the future that computers want to take over but there's also a lot

of benefits also. It's going to go ahead and help us find cures for cancer. It's going to help us go ahead and streamline things.

It's going to help us out in a lot of other areas also. If you have a 401k or an any type of investment for your future you don't realize it but you are also an investor in AI. All your mutual funds have AI aspects to it.

If you have Microsoft, Palantir, any of these other corporations a lot of us here every day use Amazon, have packages delivered. That's a lot of assets.

Shawn Christopher I am a software engineer of 20 plus years. Army veteran in communications and I also currently work on software engineering projects. I want to thank the commission for taking our comments and our questions. I also want to thank IEP for showing up.

I do have some extreme concerns. IEP has been through various projects. This is project Hummingbird. They also have a project Haybarn that is in Camp Pendleton where they also use EOS. EOS battery systems have moved their location from New Jersey to Pittsburgh. That is very heavily touted as a great thing for the job market. I greatly appreciate it. However, the EOS Z3 battery system uses a zinc bromide chemical inside of it that has very adverse effects. If you read the material data sheet on it, it says that it is toxic to aquatic life and it's also very harmful in the event of OP Gassing or spillage. Good part is that that shouldn't necessarily happen except in the past two years. It has happened twice inside of EOS's manufacturing facility. The resources that it takes in order to fix or remediate that are HAZMAT. I'm not sure. I am a Greene County resident but I haven't been here my whole life. I'm not sure where our local HAZMAT teams are located. Fire departments also require that they have self-contained breathing apparatuses. The fact that this arcing and overcharging can happen within a Z3 cube from EOS is a problem. Now given the fact that the location for the Robina mega site is targeted to have 1820 megawatts, my math is probably wrong.

I know how to tell a computer how to do math. I'm not great at it but I believe that means that 535 of these cubes are going to be put on this site. So I have to ask IEP, which is here, what is the remediation issues in the event that we have some spillage or we have OP gassing in this area? All that I would say that that's connected directly to the end user, the data center project, and that could vary depending on what technology is being utilized there. I would tell you that any type of a system like that would require diking and secondary containment and certainly that would be a design issue and something we would work closely on just close that to the county.

Beverly Robertson I'm from Greensboro. I wasn't planning on speaking tonight but I was just sitting here listening to everything and they've asked us to be respectful to you. I'm asking that you be respectful to us. Most of us didn't know about this three weeks ago and we come here tonight and it's all developed. It's here waiting for us and we know it when it gets to this point it's just a box you have to check and that's all it is.

Matt London. I work at EQT and I'm a fan for this and we also moved our 2-year-old here. We would love to keep raising her in Carmichaels. I think that the energy industry has been kind of a backbone here in the past. I think it's evolving and I think this is the next phase of it so you know again thank you for listening to us and having everyone speak about this and we look forward to seeing where this goes. Thank you for listening to us.

Maria Brown I've been a western Pennsylvania resident for roughly 30 years but only in Greene County for the past year I also married in to a third generation Greene Countian Jefferson Pennsylvania and I have a few questions. One of which is we know that there are state tax abatements for data center development projects so I want to know how much tax revenue will Greene County lose because of those state grant and sales and use taxes exemptions for data centers that also abate the local share of sales tax. So how much tax revenue is Greene County going to lose? **David Spigelmyer** I don't have an answer to that ma'am but I can look into that. Okay because I know like projects of this nature have a lot of numbers behind them so you not having that number is interesting. **Maria Brown** Okay so I also heard 1,500 jobs a year roughly for six years. Can we get a breakdown of how many of those are full-time permanent jobs and what types of jobs are they and who's employing them? **David Spigelmyer** An Allegheny Conference study is a public study and you're happy to look through that ma'am. **Maria Brown** Okay and then a gentleman earlier asked or he brought up the notion of community agreements. Will there be a community agreement in place? Has any discussion been had about putting a community agreement in place? **David Spigelmyer** All I would say is that we've committed to work closely with the local and state officials that are responsible for the site and you have our commitment to do that.

If they want to have a discussion over a long-term plan, we're happy to have that conversation. **Maria Brown** Okay and maybe, I'll keep that up to the planning commission. Have you asked for anything of that nature? **Julie Gatrell** Yeah, it's not part of the planning commission's purview. Legally it is not part of the planning commission's purview. That would have to be something that the residents and the company would decide on. We legally cannot. **Maria Brown** Thank you

for that clarification and final question. Have there been any NDAs signed and who had to sign them? **David**


Spigelmyer The answer to that is absolutely there have been NDAs signed. I mean things like a power agreement, a gas use agreement, but then you have contract discussions that take place beyond that. So those items haven't been fully cooked and we have NDAs signed because that's not for public disclosure at this point yet. But those are contract items.

Those are contract items and it's not fair to the person that's going to contract with us to make that public. **Maria Brown**

Right and who signs the NDA agreements? **David Spigelmyer** The buyer and the seller.

Tammy Jamison Born and raised Green County. I'll be honest. I really don't know how to feel about this and I feel like you guys are very flippant to some of our questions. I mean you're so smug. I came here with an open mind. I came here with an open mind wanting to learn something and you're being flippant and acting like we're stupid for one. One of the

questions. **David Spigelmyer** ma'am if that's your impression I apologize. **Tammy Jamison** One of the questions that I have is you were talking about treating the pre-treating the water that's going to be used to cool it right? What happens to all of the contaminants that come out of that water? **David Spigelmyer** I'm not a water treatment expert.

Tammy Jamison But you're responsible for this right? **David Spigelmyer** There  company called Aqua Pennsylvania that will build that facility and they have to go to a regulated place to take whatever comes off of the treatment process.

That's a regulated process. **Tammy Jamison** So do you have any idea what kind of contaminants are going to be in that water? **David Spigelmyer**, I don't. I do not. **David Spigelmyer** Okay what about air monitors and water monitoring?

Somebody asked about that before and you said the DEP was going to be regulating that but are there going to be air monitors there? Is there going to be somebody like testing the water? Are they going to be testing the river? Are they

going to be testing? I mean there's got to be that those contaminants have to go somewhere. **Josh Schroeder** I definitely

respect your questions. That's part of the chapter 105 permit. None of the three of us that are up here on it, we're representing it. But there's a different engineering firm that is part of our team. **Tammy Jamison**, I don't understand

why. Where are they? I don't understand why they're not here to answer but that's something that affects everybody. Not just the four people in who are living a hundred feet away from this but it's going to affect everybody.

Not just us but downstream from downstream from Alisha as well. **Josh Schroeder** We're here for the phase

one approval which is the erosion and sedimentation control, the land development ordinance. Then the phase two is that design that has to go through all of it. **Tammy Jamison** Okay so once the phase one goes through then how do we

stop that? I mean it just seems like it's a snowball effect. You get your foot you know your foot in the door and it's just like a snowball going down the hill. Like we have no say that this I mean I mean like the lady said three weeks ago nobody knew this was happening and all of a sudden, this thing's being built and nobody even knew about it. **Josh Schroeder** I definitely understand and respect your concern. We came forward with showing the phasing not because we had to but because we wanted to be able to have disclosure of what is coming after that. **Tammy Jamison** I would like to say that I think this hearing needs to be continued because obviously we don't have all the answers. I would like to say we need to continue this hearing so we can get some more answers for them on the road.

Michael Young So I'm not very good at this so I apologize if I get shaky. I want to say something. Tom brought up that he gets a three-year abatement for building a house. We all know they're going to get an abatement too. When they say they're not looking for exemptions they don't need to because it's in the legislation as he said to somebody to somebody else. Just want to make that clear. I have another question though. Will this facility fully built will it provide any local services or products or entertainment? Is there anything to be provided? Not the taxes or the infrastructure? **David**

Spigelmyer It's a power island. It'll produce power. **Michael Young** You have a 1,700-acre allotment for this entire project and you're going to after it's said and done be employing roughly 50 people. Can you tell me why that is better than the say University Town Center of West Virginia that is 130 acres where one Walmart Supercenter employs 300?

David Spigelmyer It wasn't built on a brownfield site. There's a lot of cleanups that still is necessary to that site so we're going to take that on. **Michael Young** Can you tell me what happens to the property value of the houses within Alisha? No. I could probably tell you they're going to plummet. I want to ask the gentleman in the vest in the back that spoke earlier if you were to move here say to a house in Alisha after this project was finished would you buy a house in Alisha? With this right in here I can see the I don't know what you call it the um the power island I can see that from my house through the tree line. Would you buy my house knowing that that's there not even 50 yards from your house? I want to make it clear I have a harbor owned by Iron Synergy next to my house and then these people are going to come in and also build right next to my house.

There will be a fence line and post-it notes all around Alisha that I will only be allowed to exit via road and enter via road. Alisha is being turned into a prison. That is not a joke. We are being fenced in and uh let's see if I got anything else here. Electric prices you say they're not going up because you're not using the electric and you're generating your own

but natural gas is being consumed which changes the supply and demand curve. So how can you guarantee that our prices aren't going to go up because the energy providers in our area it's one company and it owns everything.

David Spigelmyer It's not just one company there are multiple natural gas operators. **First** Energy on the electric side that's absolutely correct but the natural gas side right there are multiple operators. My point sir and I'll just answer you, my point was is that we are not going to demand power from the grid that would have an impact to your power rates. That was my response. **Michael Young** Consumption of natural gas. **David Spigelmyer** The consumption of natural gas ultimately if it's being used in power generation somewhere else it could potentially have an impact on power rates but I would tell you that's being used primarily to generate power and manage our phones and our technology. He said technology has driven demand up 30 percent in 10 years. **Michael Young** You're going to make it go higher.

Veronica Fike First I just really want to thank the planning commissioners for listening for hearing it this volunteer role the responsibility you hold in this county and the limited authority sometimes you all have to move within the law the fact that the county doesn't have county-wide zoning there are restrictions and I thank you for holding the public meeting letting folks be heard and to the operator what's very clear to me tonight is this permit has many this facility has many pieces right a local permit state permits maybe federal permits maybe stuff with the regulatory commission on who powers where the power comes from and the community has a lot of questions that aren't actually going to be able to get answered and give a holistic picture and I'm asking you to maybe commit to holding a public meeting with our legislators our department of environmental protection the federal energy regulatory commission PJM the county all of your contractors that are managing all those different pieces the chapter 105 permit the dep mine reclamation bond release permits that are going to have to happen so that we can actually get our questions answered in one meeting we are all mothers fathers workers who don't have time to go to 20 different public meetings with five different agencies around it and the every resident here I can guarantee is very much interested in the Robena mine site being cleaned up and restored to something beneficial to the community again I'm very skeptical honestly and curious that you're asking for a phase one permit to clean up a mine site where it's not 100% clear you even have a data user to buy the site like if it would have been profitable to clean the site up without a guaranteed end use consol could have done it a decade ago and it hasn't happened and so we're trying to trust you all to come in and clean something up and do better in our community and we're not getting a clear picture so I would love to have a public meeting with

everybody who's responsible for making the decisions not just pushing it on a planning commission that has limited authority to move on it but with the real agencies the real operators the legislators that actually have the power and the authority to take our concerns into consideration and move them into action or show very clearly that they never were interested in hearing the community's concerns so I'll stop at that **but** while you clean up this mine site I hear you have no discharges but I will be at DEP meetings guaranteed to see what you're doing with the existing discharges that are on the site and how those will be disturbed.

Sarah Sweeney I'm a community organizer with the Center for Coalfield Justice. Before anyone asked, I was born and raised in Greene County, Pennsylvania. CCJ respectfully submits a full written version of our testimony onto the record and I will verbally give an overview of these comments and I have a full comment that I will provide. A central concern with this proposed data center is the extraordinary lack of (transparency surrounding the project to date. The developer IEP Hummingbird Energy LLC, Hummingbird has not provided the public or the commission with even the most basic information necessary to evaluate environmental, economic, or land use impacts. Pennsylvania Municipal Planning Code MPC and Greene County Subdivision and Land Development, or **SALDO**, established clear expectations that land development proposals be accompanied by sufficient documentation to enable meaningful public review. The fundamental purpose of both the MPC and the SALDO is to ensure that the development occurs in a coordinated, transparent, and publicly accountable manner that protects the community interest while complying with state law. Currently, it is of our opinion that this has not been met. To date, Hummingbird has not provided substantive details regarding the type, size, or configuration of the buildings it intends to construct, nor has it provided any information about operational characteristics such as height, noise generation, equipment layout, or visual impacts. As it stands, Hummingbird's land use application states that it does not intend to construct any structures exceeding 625 square feet. For a proposed data center, this claim is misleading at best and inconsistent with the intent of Greene County's Subdivision and Land Development Ordinance. The SALDO is designed to prevent piecemeal review by requiring applicants to disclose the full scope and intensity of the development at the outset. In email correspondence, representatives of Hummingbird shared with Greene County that they are looking for flat and developable land with potential for large amounts of electricity use, yet in Hummingbird's land use application they make no reference to any of this potential build-out. By presenting an artificially limited building footprint while withholding information about the

project's ultimate configuration and operational infrastructure, the application deprives the county and the public the ability to evaluate cumulative environmental and land use impacts contrary to the SALDO's completeness and review standards. The company has also withheld critical information about energy demand including anticipated electrical load whether on-site generation or expanded natural gas service will be required and whether any air permitted emission sources such as the natural gas combustion equipment, diesel backup generators, cooling infrastructure, or transformer related pollution will be associated with the project. Without this information, neither the commission nor the residents can assess the air quality or climate implications of this proposal. The same lack of disclosure applies to water use and water-related impacts. Data centers often require substantial volumes of water for cooling, yet no information has been released regarding expected water withdrawals, the source of that water, wastewater handling.

J.M.K Farmhard I'm my work as president. However, I'm going to speak. Was there a referendum ever opportunity that individuals are affected? Like for example, like this is the first time I've heard of it. Did anybody else hear about it like they were saying? I mean, I think there should be a referendum for all the individuals that are actually involved in the county to basically put their say. I trust what you guys are saying. I mean, yeah, we do have to develop our county, but however, what about their voices? I think before anybody votes to say yay or nay, I think a referendum should be put on the board for everybody to put their two cents into it. And I do agree with the community benefits agreement. That should be made between the individuals. You're saying there's no legal authority for you guys to do it, but what about the people out here? How about before you guys say yay, give these individuals the opportunity to come up with a community benefits agreement? Does everybody agree with that? I mean, I also work with government. I do this type of stuff all the time, but the first thing I want to make sure is that these individuals are taken care of. I behoove of all you who have the power to basically say no until these individuals get heard. Let them come up with an agreement for the community benefits agreement. I don't trust you guys because business is always lost. I mean, come on now. I mean, let's look at the Robena Mine, for example. Why did it close? Does anybody know? History? Cost. Because they weren't using, the new technology was long walls. They were using mechanical mining at that time. Consol Energy said it was unprofitable. So, they just decided one day we're shutting it down because they weren't going to make money. My cousin fought for that. However, then he lost. But I'm just saying, they all brought up good points. What are we going to

benefit from? That's all I want to know. So, before you guys make your decisions, give these individuals the opportunity to make theirs. That's all I have.

Julie Gatrell, I believe we have heard from the last individual. One thing I'd like to address, that the allegations were made that there were closed door meetings with the commissioners and the planning commission with the individuals across the room. I can't speak for the commissioners, but I can speak for this planning commission.

The first time we saw the gentleman across the room was in the November meeting. It was brought to the county. It comes to the planning commission. We do not do closed door meetings. We are not politicians. We are all volunteers trying to do what is best for this county. I'm going on the record to tell you, no, there were no closed-door meetings between anybody on this planning commission and the proposed developers. Now are we ready? Does anybody from the commission want to speak?

Brian Sokol This whole phased approach thing, I think I kind of understand it, but what you're asking tonight for, and I need to be very specific about this, phase one approval to do the reclamation, that's it. Is that an accurate

statement? **Josh Schroeder** The reclamation, the grading, the domestic utilities that would come in from SPWA and the

GMT. **Brian Sokol** zero infrastructure being built with this approval. Is that fair? **Josh Schroeder** I wouldn't say, I mean

the sewer and the water that are going to be connected, but that's minimal. **Brian Sokol** Okay, but no structures being

built. **Josh Schroeder** There's not a power plant being built today or anytime soon. **Brian Sokol** Now you mentioned also,

am I too loud or too close to it. You also mentioned that phase five, if I remember correctly, are the old ponds down in

Robena going to be reclaimed, and you said it's running simultaneously. So how does it run simultaneously if phase five

wasn't approved at the same time as phase one? How's that work? **Josh Schroeder** we're asking for the reclamation and

for sites one and two that site is part of the mining permit that would need to be closed. It just is phase five in the terms

of it would take longer because there's no real plans over that way. I mean it's, there's a lot of evaluation that needs to

go into the ponds. It's basically just a timing thing that we're anticipating. It's the last one to close.

Brian Sokol then we brought up different types of permits. Obviously, you're going to need a PennDOT-up permit for highway occupancy. You're going to need an NPDES permit. You know there's 40 other permits you need after this body may or may not say go ahead and move forward. And part of that is you don't have approval until you meet those criteria because our SADLO says so. We're just kind of putting the card a little bit in front of the horse with a condition if

I'm not mistaking, if that sounds somewhat right. **Josh Schroeder**, I don't know if it's essentially putting the card in front of the horse. I don't want to say that. But we do have the permits that we need to go through to obtain. It's currently under a mining reclamation permit. Most of that can be moved anyways under the mining reclamation permit plan. So as that was going to be started, we wanted to come forward with what the plans are. But any of that existing reclamation can already occur regardless of what is being said. **Brian Sokol**, I don't take my questions negative. I just want people to understand that you know we're not just sitting up here doing nothing. Then obviously one of the biggest concerns I had whenever we met during the preliminary approval is this noise that is going to come. I mean I talked to other people when they build hilltop energy. And you know hilltop probably doesn't have a neighbor for I don't know let's say 1200 feet before the first home, the first dwelling. This is going to have dwellings within 150 feet. Now.

Josh Schroeder Yeah, the closest to the top of that pad over off of a Alisha property is. **Brian Sokol** Again, that's not even what we're voting on here today. Right. That's not even the part of that. But I need to be able to plan into the future too and be able to say okay you know if you're about to invest X amount of millions of dollars you're not doing it for nothing. Right. I mean there's a reason you're doing it. My question is there something we can do? I understand Mon Township doesn't have a noise ordinance. I understand the county doesn't have a noise ordinance. You know what I mean? There are some local issues that need to be addressed on those on those parts. Is there anything you can do to just help these people out? Seriously meet with them. Talk to them. I don't know if you have if you haven't. I'm begging you too though. Go meet with just the people that live there and say how can I help your life? That's what I'm asking. **David Spigelmyer** this was an item that was raised in the community meeting we did six weeks ago.

We've promised to meet 55 DP at the fence line voluntarily. That's that that's basically conversation. And that's at the fence line not at the property line or where someone's home that's further. **Brian Sokol** this commission has zero authority to vote on because of that because it's not in our sound. You know what I mean? Like I'm just saying it's a concern of theirs and I'm asking you to please address that. **Julie Gatrell** does anybody else want to speak from the commission? **Jim Goroncy** going to speak. I just want to reiterate and echo what Brian said. It is it's going to be this activity going to be so close to these some of the homes there. You have committed and we're asking that you work with the local people here in that area because we've heard tonight a lot of concerns from the people that are that live locally. We just we just are asking that you be good neighbors, good corporate neighbors, and listen to what the people listen to their concerns. **Josh Schroeder** The mining reclamation plan is already the mining permits already open so that

mining reclamation plan is being worked through with DEP. **Mary Bokat** Okay all right and DEP has accepted that you have the mining permits? **Josh Schroeder** the mining permits are active. It's the course refuse disposal permit and then the prep plan permit. So those are active permits that have been open for many years. **Mary Bokat** That came with the sale of the land? **Josh Schroeder** No Consol open them long ago and they need closed. **Julie Gatrell** Anyone else from the commission? Okay we're going to move forward. Hummingbird Land Development is here for final approval for phase one. Phase one being the reclamation. Very specific here we are understanding that this is not building. This is strictly the reclamation and what you've stated is that technically you don't need our approval because you have the mining permit. But we as the commission it's been brought before us. **Josh Schroeder** Just to clarify on to reclamation and grading and then the storm water erosion and sedimentation. The minor infrastructure that's for future just doesn't make sense to do the reclamation. **Brian Sokol** The storm water about you're not creating any impervious area you're not you know so is the storm water for later phases you're going to build them early or? **Josh Schroeder** Well just because the mining the final reclamation will be a flat pad area so in that case we need somewhere for the water to go so it doesn't just run off into nowhere so it's sedimentation basins that are on the site. **Brian Sokol** that's in who's reviewing that storm water plant right now? It goes through DEP but Green County Conservation District is the one that reviews and approves the erosion and sedimentation. **Brian Sokol**, have they reviewed and approved any of that at this point? **Josh Schroeder**, They have not at this point. It's been discussed with them and worked through with them. We had a meeting with them DEP mining DEP waterways and wetlands I don't remember it was back in September, I think. **Brian Sokol** What I'm saying like a lot of what we're doing here could be putting a cart in front of the horse right? I mean we're going to give an approval based on if you meet the conditions of the storm water management you know what I mean if that's not approved yet you know there's going to be a condition set on that I would assume and that's why I said we want to be very careful before we make this motion because there's going to be a lot on us for phase one.

Tom King Madam Chairman the 605.1 of the of the commission rules provide at a regular meeting of the county planning commission a representative qualified to answer questions on the application shall submit the final application and of course here is this is for phase one shall submit the final application and the county planning commission shall either accept the application as complete in content and properly filed or table the application until the county planning director's review is addressed if the application is incomplete or improperly filed. The question of course is if the opinion has been given and I think it has that it's complete as to phase one am I correct? **Jeremy Kelly**

Through the engineer Harshman is the one who reviewed it mainly because of the concerns that you all have regarding the buildings and the structures the fact that a lot of our ordinance pieces do not apply or not applicable to it based off the structures because the structures are not there yet. Basically because our subdivision land development ordinance actually centers around structures and buildings and the storm water pieces this phase one does not have buildings or structures the majority of the pieces are not applicable to this project so yes the engineer which is Harshman they did review this project and as far as they are concerned phase one has been and has enough information to move forward as a complete project because mainly there's no buildings that will change in phase two three and four when there's buildings there's of course going to be the stormwater review the parking lots the lighting schemes and different things like that but as far as this project moving forward on phase one Harshman has agreed that it was and they are the engineer on whatever it is for our county here at the planning commission. **Tom King** The rules say to the planning commission the acceptance of the application or the tabling of the application by the planning commission shall be by motion adopted by a majority of the members present if the application is tabled as incomplete a copy of the county planning director's written review citing the specific requirements of this ordinance which have not been met shall be provided to the applicant or his representative but it sounds like the advice here is that they that the requirements that have been met and so the board needs to take action one way or the other and the actions are either to accept it or to table it as if you believe it's incomplete so as legal counsel has advised **Julie Gatrell** either need a motion to accept or to table phase one of the hummingbird land profit, **Clint Blaney** has made the motion to accept do I have a second **Charles Lemley** has seconded. All in favor all said I. Except **Mary Bokat** opposed. **Julie Gatrell** so carried.

I. OLD BUSINESS

- a. Parks and Recreation – **No Update**
- b. Greene County Solid Waste Management Plan – **No Update**

II. NEW BUSINESS

- a. Approve 2026 Meeting Dates – **Greta Mooney made a motion to approve the 2026 meeting dates and cancel the January 5th meeting Jason Nickolson Seconded it and all were in favor**

III. CONSERVATION DISTRICT REPORT

IV. PLANNING DEPARTMENT REPORT

- a. Lot Splits

b. Tax Abatement

V. ADJOURNMENT – **NEXT MEETING IS SCHEDULED FOR February 2, 2026**

Jason Nickolson made a motion to adjourn the meeting 9:25PM and was seconded by Greta Mooney. All were in favor.