

Subject: Written Testimony – HB 646 (Mary Howard, Berkshire Township Trustee)

Chairman Claggett, Vice Chair Workman, Ranking Member Mohamed, and Members of the Committee,

Thank you for the opportunity to submit written testimony regarding HB 646.

As a township trustee in a rapidly developing region of Delaware County, I support responsible economic growth and innovation in Ohio. However, large-scale hyperscale data center development presents structural governance challenges that deserve careful consideration as this legislation moves forward.

In high-growth regions, township officials are increasingly being asked to evaluate projects of unprecedented scale and energy demand. I respectfully ask the Committee to consider the following policy concerns:

HB 646 – Key Governance Considerations

Mary Howard

Berkshire Township Trustee

1. Proper Zoning Classification

Hyperscale data centers function as high-intensity industrial uses. Facilities exceeding 50 MW involve massive energy consumption, industrial-scale cooling systems, substantial backup generation, and extensive utility infrastructure. Such facilities should require conditional use review, independent impact analysis, and ongoing compliance standards rather than being treated as standard light industrial or office uses.

2. Grid Infrastructure & Ratepayer Protection

Expansion of hyperscale facilities places significant demand on transmission systems, substations, and generation capacity. Absent clear cost-allocation standards, infrastructure risk can shift to residential and small-business ratepayers.

3. On-Site Generation & Jurisdictional Oversight

Behind-the-meter generation—including large diesel banks, fuel cells, and emerging nuclear proposals—raises important jurisdictional and environmental oversight questions that warrant clear state standards.

4. Air, Water & Noise Monitoring

Large generator banks, water-intensive cooling systems, and continuous low-frequency mechanical noise require enforceable monitoring frameworks beyond traditional local ordinance structures.

5. Transparency in Public Agreements

Public land use decisions and incentive negotiations should be transparent. Overreliance on non-disclosure agreements erodes public trust and limits meaningful community engagement.

Ohio can lead in innovation while also protecting property rights, ratepayers, and local governance authority. Thoughtful guardrails will strengthen long-term public confidence in this industry.

Respectfully,

Mary Howard

Berkshire Township Trustee

Delaware County, Ohio