

CONDITIONAL USE PERMIT APPLICATION NARRATIVE

HARMONY ENERGY PARK

Harmony Township, ND

PREPARED FOR:

HARMONY TOWNSHIP

APPLICANT:

CCDC ND, LLC

8400 Normandale Lake Blvd, Suite 1200
Bloomington, MN 55437

Application preparation provided by:

GERONIMO POWER, LLC

8400 Normandale Lake Blvd, Suite 1200, Bloomington, MN 55437

AND

KIMLEY-HORN & ASSOCIATES, INC.

11995 Singletree Lane, Suite 225, Eden Prairie, MN 55344

Submitted on: September 15, 2026

TABLE OF CONTENTS

1. Introduction	3
2. Project Overview	4
2.1 Project Purpose, Capacity, and Need (Ord. Sec. 6.21.3.14.c, f, l)	5
2.2. Project Benefits	5
2.3 Project Description (Ord. Sec. 6.21.3)	6
2.4 Plans for Adequate Utilities and Infrastructure.....	11
3. Construction, Operation, and Decommissioning	16
3.1 Project Construction and Restoration	16
3.2 Project Operations and Maintenance (Ord. Sec. 6.21.3.14.a-d, j).....	19
3.3 Decommissioning and Reclamation (Ord. Secs. 6.21.3.9, 6.21.3.10, 6.21.3.15, and 6.21.3.16).....	20
4. Compliance with Applicable Ordinance Provisions	21
4.1 Compliance with Applicable Setbacks (Ord. Secs. 3.8, 5.1.6, 5.1.7, 6.21.2.2, 6.21.2.3, 6.21.2.6.a).....	21
4.2. Compliance with Conditional Use Permit Criteria (Ord. Sec. 8.2.6)	23
5. Conclusion	24
Appendices	25
Appendix 1. CUP Application Completeness Checklist and Compliance Table	1
Appendix 2. CUP Application Form	1
Appendix 3. Site Plans	2
Appendix 4. Existing Land Use and Zoning Map	3
Appendix 5. Property Boundary Exhibit.....	4
Appendix 6. Decommissioning and Reclamation Plan.....	5
Appendix 7. Emergency Access Plan.....	6
Appendix 8. Architectural Elevations	7
Appendix 9. Stormwater Report	8
Appendix 10. Traffic Study and Preliminary Roadway Exhibits.....	9
Appendix 11. Noise Study	10

1 Introduction

CCDC ND, LLC (Applicant), a wholly owned subsidiary of Geronimo Power, LLC (Geronimo Power or Geronimo) respectfully submits this Conditional Use Permit (CUP) application (Application) to Harmony Township (the Township) for a proposed data center known as the Harmony Energy Park (the Project) with the legal description provided below.

Legal Description of the Property (MAIN TRACT)

Tax Parcel ID No(s): 43-0000-06361-000; 43-0000-06360-000; 43-0000-06363-000; 43-0000-06362-000; and 43-0000-06364-000

NW1/4 of Section 15, Township 140 North, Range 51 West of the 5th P.M., Cass County, North Dakota. AND NE1/4 of Section 15, Township 140 North, Range 51 West of the 5th P.M., Cass County, North Dakota. AND W1/2 of the SW1/4 of Section 15, Township 140 North, Range 51 West of the 5th P.M., Cass County, North Dakota. AND E1/2 of the SW1/4 of Section 15, Township 140 North, Range 51 West of the 5th P.M., Cass County, North Dakota. AND SE1/4 of Section 15, Township 140 North, Range 51 West of the 5th P.M., Cass County, North Dakota.

The Project is located within an approximately 640-acre area (Project Site) within Harmony Township's Agricultural (A-1) zoning district (see Figure 1). According to Cass County's (the County) GIS Public Map Service, adjacent lands surrounding the Project Site are also zoned Agricultural (A-1), and all properties adjacent to the Project Site are located within Harmony Township.

Figure 1. Project Site Location



Harmony Energy Park is being developed to support the increasing demand for digital infrastructure that powers modern businesses, agriculture, communications, artificial intelligence, and other technology-driven services. The Project will support cloud computing, data storage, network connectivity, and digital infrastructure services throughout the region and beyond.

The Project is expected to provide substantial benefits to the local community through significant property tax revenues, employment opportunities, construction-related spending, and increased demand for local goods and services. Over its operating life, the Project is anticipated to contribute approximately \$72 million in property taxes while supporting hundreds of construction jobs and creating long term operational employment opportunities.

Beyond direct economic impacts, the Project is expected to generate lasting community benefits and create new opportunities for regional contractors, suppliers, and skilled trades. The Project can generate substantial tax revenues while limiting demands on local schools, residential services, and other public infrastructure. This unique combination of private investment and public benefit presents an opportunity to strengthen the Township's economic future while maintaining its rural character and agricultural values.

The Applicant is committed to working closely with township officials, county staff, neighboring landowners, and community stakeholders throughout development to ensure Harmony Energy Park is a safe, responsible, and long-term asset for the township and county.

The Applicant is a subsidiary of Geronimo Power, a power infrastructure development company headquartered in Bloomington, Minnesota, with a proven track record of developing large-scale energy infrastructure projects throughout the United States. More than 2900 megawatts (MW) of projects developed by Geronimo Power are currently operational or under construction, with an additional multi-gigawatt pipeline of projects in various stages of development nationwide. Geronimo Power provides energy development solutions for utilities, independent power producers and corporations looking to harness energy for business growth and prides itself on developing projects that are farmer friendly, community-driven, and beneficial for rural communities.

Pursuant to Section 5.1.3.19 of the Harmony Township Zoning Ordinance (Ordinance), a Data Center located in the Agricultural District is a conditional use requiring a CUP. Therefore, the Applicant is submitting this Application demonstrating the Project's compliance with applicable requirements for the Agricultural District, the Data Center-specific requirements in Section 6.21, and the general CUP requirements in Section 8.2 of the Ordinance. To facilitate review, a checklist identifying the applicable Ordinance provisions and where each is addressed in the Application is included in **Appendix 1**. A completed CUP Application form is provided in **Appendix 2**. As set forth in this Application and **Appendix 1**, the Project satisfies all applicable requirements in the Ordinance.

2 Project Overview

Harmony Energy Park is proposed as a modern data center campus, with the preliminary layout consisting of two data center buildings, associated equipment yards, office and support facilities, secured site entrances, electrical infrastructure, and supporting utility improvements. Electrical infrastructure includes the off-site and on-site power generation, transmission, distribution, transformation, switching, protection, control, and backup systems necessary to provide reliable electrical service to a data center campus. The Project has been strategically located to take advantage of existing regional infrastructure while providing sufficient space for campus operations, security, stormwater management, landscaping, and buffering from neighboring properties. A site plan depicting the preliminary Project layout and design is included in **Appendix 3**.

The preliminary site plan has been developed to promote compatibility with surrounding agricultural uses and rural land uses. Building placement, setbacks, access points, landscape screening, and architectural

treatments have been incorporated to minimize visual impacts, support safe operations, and maintain consistency with applicable zoning and land use requirements.

2.1 PROJECT PURPOSE, CAPACITY, AND NEED (ORD. SEC. 6.21.3.14.C, F, L)

Harmony Energy Park is being developed to support increasing demand for digital infrastructure associated with cloud computing, artificial intelligence, data storage, and other technology-driven services. The proposed development consists of a modern data center campus and associated support infrastructure. The initial electrical service is expected to provide up to 540 MW of power to the Project Site, with the potential for future expansion subject to end-user demand and utility requirements.

The Project will serve users of digital infrastructure services. Data processing capacity will be determined by the final end-user and technology configuration but is expected to support large-scale computing, data storage, networking, and related technology operations throughout the region and beyond.

Electrical service is anticipated through OTP's proposed *Section 10.07 Large General Service – Tier III – High Power Compute Tariff* (High Power Compute Tariff).

2.2 PROJECT BENEFITS

The Project will provide meaningful economic benefits to local governments, residents, and the broader community, including:

- Create new local job opportunities for various trade professionals that live and work in the area with up to 1,500 temporary construction jobs over the approximately 2-to-4-year construction period.
- Create up to 150 full-time jobs during operations. These employees are expected to reside locally.
- Provide significant and measurable economic benefits to the general area, including increased retail and service activity at local lodging, restaurants, gas stations, and retailers of construction materials and supplies.
- Generate tax revenue estimated at \$72 million over a 20-year period.
- Diversify economic development in the Township.

In addition to creating jobs and supporting economic activity, the Project will generate substantial economic benefits through property taxes paid to local taxing authorities. As noted above, the Project is anticipated to generate approximately \$72 million in property taxes over a 20-year period, providing a significant long-term benefit to local governments, schools, and the broader community. The Project will substantially increase the local tax base, creating the opportunity for additional public revenue, property tax relief, or a combination of both. If local jurisdictions hold revenue levels flat, property tax bills could decrease for the local community. Actual impacts will depend on future levy decisions made by local governing bodies.

Tax projections are based on anticipated Project values and the current local mill rates. The Project would be taxed based on assessed value of the facilities. Property value assumptions per square foot are based off the data center located in Ellendale that is already operating and assessed in the state of North Dakota. Actual taxes will vary depending on state law, assessed value and mill rates. The Project is anticipated to generate the following tax revenue over a 20-year period.

Table 1 – Projected Tax Summary (based upon Cass County 2025 mill levies)

<i>Taxing Jurisdiction</i>	<i>Dollars to Taxing Jurisdiction (20 Years)</i>	<i>Average Annual Revenue</i>	<i>Percent Allocation</i>
State Medical School	\$345,512	\$17,275	0.48%
Cass County	\$16,145,768	\$807,288	22.21%
Harmony Township	\$6,433,430	\$321,671	8.85%
Local School Districts (Increase to State Aid)	\$24,165,899	\$1,208,295	33.23%
Local School Districts (Decrease to State Aid)	\$20,730,710	\$1,036,535	28.51%
Rush River Water Service District	\$1,900,315	\$95,016	2.61%
Casselon Ambulance District	\$1,820,847	\$91,042	2.50%
Weed Control District	\$414,614	\$20,731	0.57%
Vector Control District	\$259,134	\$12,957	0.36%
Soil Conservation District	\$148,570	\$7,429	0.20%
Garrison Diversion Conservancy District	\$345,512	\$17,276	0.48%
	\$72,710,311	\$3,635,515	100%

2.3 PROJECT DESCRIPTION (ORD. SEC. 6.21.3)

2.3.1 Project Site Plan

The Harmony Energy Park preliminary site plan, as shown on the CUP Site Plan (**Appendix 3**, Sheet C-01), includes two data center buildings with associated mechanical yards, electrical substations, administrative and warehouse buildings and associated infrastructure required for the Project (see Section 2.3.2 for a complete component list).

The CUP Site Plan is preliminary and may be refined as part of final engineering and design. However, the following Project components are considered the primary development elements of the Project and will remain within the Preliminary Development Area shown in **Appendix 3**: all data center and support buildings, mechanical and equipment infrastructure, and electrical infrastructure. While the final number, size, orientation, and exact placement of these components may change during final engineering and design, all such facilities will remain within the Preliminary Development Area and will comply with all applicable township setbacks and development requirements for Data Centers.

Certain supporting infrastructure is not subject to the same setback requirements as Data Centers and therefore is shown outside of the Preliminary Development Area. These facilities may be relocated during final engineering and design as needed to accommodate site conditions, utility connections, and operational requirements. These facilities include communications infrastructure, utility facilities, secured entrances, stormwater management, and temporary construction staging. The final locations of these supporting facilities may change from those shown on the preliminary CUP Site Plan but will comply with A-1 zoning setbacks and standards as required.

In addition, the CUP Site Plan includes proposed parking areas and loading docks, proposed grading, drainage, utility, and landscape plans. These plans depict the proposed sanitary force main, water main, fire water system, utility corridors serving the substations, preliminary site grading, stormwater management infrastructure, and other associated site improvements.

The final Project layout, including the number, size, and location of Project components will be determined following completion of final engineering and design. A final site plan will be submitted with the building permit application prior to construction and will comply with all required township requirements and setbacks.

A map showing the boundaries of the property and any neighboring residences within one mile is included in **Appendix 5**.

2.3.2 Project Components

Project components are shown in the Site Plan in **Appendix 3**. All equipment will be designed, installed, and operated in accordance with applicable state and federal fire, building, electrical, and safety codes. Final equipment specifications will be confirmed during final design and will be selected and configured to comply with the Township's noise requirements and setbacks.

The Project consists of the following components:

- Data Center and Support Buildings
 - Data center buildings
 - Parking areas and loading areas
 - Administration, office, maintenance, and warehouse facilities
- Mechanical and Equipment Infrastructure
 - Cooling equipment, including air-cooled chillers, dry coolers, pumps, and associated systems
 - Emergency backup generators and fuel storage
 - Uninterruptible Power Supply (UPS) systems, batteries, transformers, switchgear, and other mechanical or electrical equipment necessary for reliable facility operation
- Electrical Infrastructure
 - Substations and associated electrical facilities
 - Electrical distribution systems
 - Ancillary equipment necessary for operation of the substation
- Communications Infrastructure
 - Telecommunications, fiber, and control systems
 - Other infrastructure required to deliver, distribute, monitor, and manage power throughout the Project
- Utility Facilities
 - Water, sanitary sewer, fire protection, and other utility infrastructure necessary to serve the Project
- Secured Entrances
 - Site entrances, access control stations, fencing, and other improvements
- Stormwater Management
 - Stormwater basins/ponds
- Temporary Construction Staging
 - Laydown yards

2.3.3 Architectural, Building, and Lighting Plans (Ord. Secs. 6.21.2.6.a-d, 6.21.3.14.g, and 6.21.3.14.i)

Architectural and Building Plans

The Project has been designed as a high-quality technology campus that respects the character of the Township and the broader Cass County region while supporting advanced digital infrastructure. The Project

will include data center buildings, office facilities, warehouse structures, and supporting utility infrastructure organized within a cohesive architectural and landscape framework.

To reduce the visual impact typically associated with large-scale data centers, buildings will be carefully articulated through changes in scale, façade design, material transitions, and architectural screening. Rather than appearing as large industrial structures, the buildings will be designed as a coordinated campus with a consistent architectural identity.

Exterior materials will be selected for durability, sustainability, and compatibility with the North Dakota landscape. The architectural palette is anticipated to include earth-toned architectural precast concrete, textured masonry, high-performance insulated metal panels, architectural metal screens, and high-performance glazing. Colors are expected to draw from regional prairie and agricultural landscapes, incorporating warm gray, limestone, buff, charcoal, bronze, and weathered metal tones. The final building design will be provided in the building permit application and will comply with all applicable Township requirements. Materials have been selected to withstand North Dakota's climate while minimizing maintenance and replacement requirements.

Mechanical and utility systems, including cooling equipment, generators, and transformers, will be integrated into the overall architectural design through weatherproof enclosures and acoustical louvers, to minimize both visual and sound impacts on neighboring properties.

Native prairie plantings preserve open space, and drought-tolerant landscaping will further integrate the campus into its surroundings while supporting biodiversity and reducing resource consumption. Refer to **Appendix 3**, sheet L-01 for the Preliminary Landscape Plan, which indicates 83% of the Project will be vegetated or stormwater basins.

Building design will comply with the applicable Harmony Township maximum building height requirement of 35 feet in the Agricultural District (see Ord. Sec. 5.1.7.3, 6.21.2.6.a). Building height is measured in accordance with the Ordinance as the height to the highest point of the roof, excluding roof-mounted mechanical equipment, screening, and other appurtenances where permitted by ordinance.

Each building will incorporate clearly identifiable main entrance features that are differentiated from the remainder of the building façade through changes in building materials, colors, textures, patterns, and accent elements. The primary entrance will be further emphasized through projected or recessed entrance features, including canopies and storefront glazing, creating a sense of place, providing visual interest, and improving wayfinding and orientation within the overall campus development. Refer to **Appendix 3** sheet L-02 for architectural depictions from lot lines and street lines.

Building façades will be articulated through a combination of changes in materials, colors, textures, and accent elements, together with the incorporation of windows, doors, and other fenestration features distributed across the building elevations. These façade treatments will break up building massing, provide visual variety, and satisfy the Harmony Township building design requirements while creating an attractive and compatible appearance for the development. Refer to **Appendix 8** for Architectural Elevations.

Lighting

All exterior lighting fixtures will be designed and installed to minimize off-site impacts through the use of full-cutoff or otherwise shielded luminaires that direct light downward onto the site. Lighting will be arranged to prevent direct glare onto adjacent properties and public roadways, and fixtures will be hooded or otherwise controlled to minimize sky glow and light pollution. Bare bulbs or exposed light sources visible from adjacent properties or public rights-of-way will not be utilized. Potential construction-related lighting

impacts would be minimized through good housekeeping and site management practices, directing and shielding temporary lighting to reduce spillover onto adjacent properties, and implementing reasonable measures to reduce nuisance impacts to neighboring properties.

A detailed photometric lighting plan will be provided with the building permit application for the Project and will be designed to provide safe and effective illumination of site access drives, parking areas, loading areas, pedestrian facilities, building entrances, and other operational areas in accordance with applicable township requirements for illumination at the property line, including limitations on light spillover onto adjoining properties. In addition to meeting township lighting standards, the Project will incorporate best practices to ensure that lighting remains focused on the areas necessary for safety, security, and site operations. Refer to Site Plans, sheet E-01 and E-02 in **Appendix 3** for schematic lighting plan and typical lighting schematics.

Together, these architectural, material, landscape and lighting strategies create a durable, environmentally responsible, and visually compatible development that reflects commitment to thoughtful growth and high-quality design.

2.3.4 Noise (Ord. Sec. 6.21.3.13 and 6.21.2.4)

Sound sources are grouped into three broad categories: anthropogenic sounds, which are generated by human activity and equipment; biogenic sounds, which are produced by organisms; and geophonic sounds, which originate from natural environmental processes. Together, these categories provide a framework for distinguishing project-related sound from existing natural and community sound sources.

The primary characteristics that influence how people experience sound are frequency, amplitude, and temporal fluctuation. Frequency relates to pitch or tone and is commonly described across low-, mid-, and high-frequency ranges. Amplitude relates to perceived loudness and is expressed using the decibel scale because audible sound pressures span a very wide range. Temporal changes describe how sound varies over time, which is important because most real-world sounds are not constant.

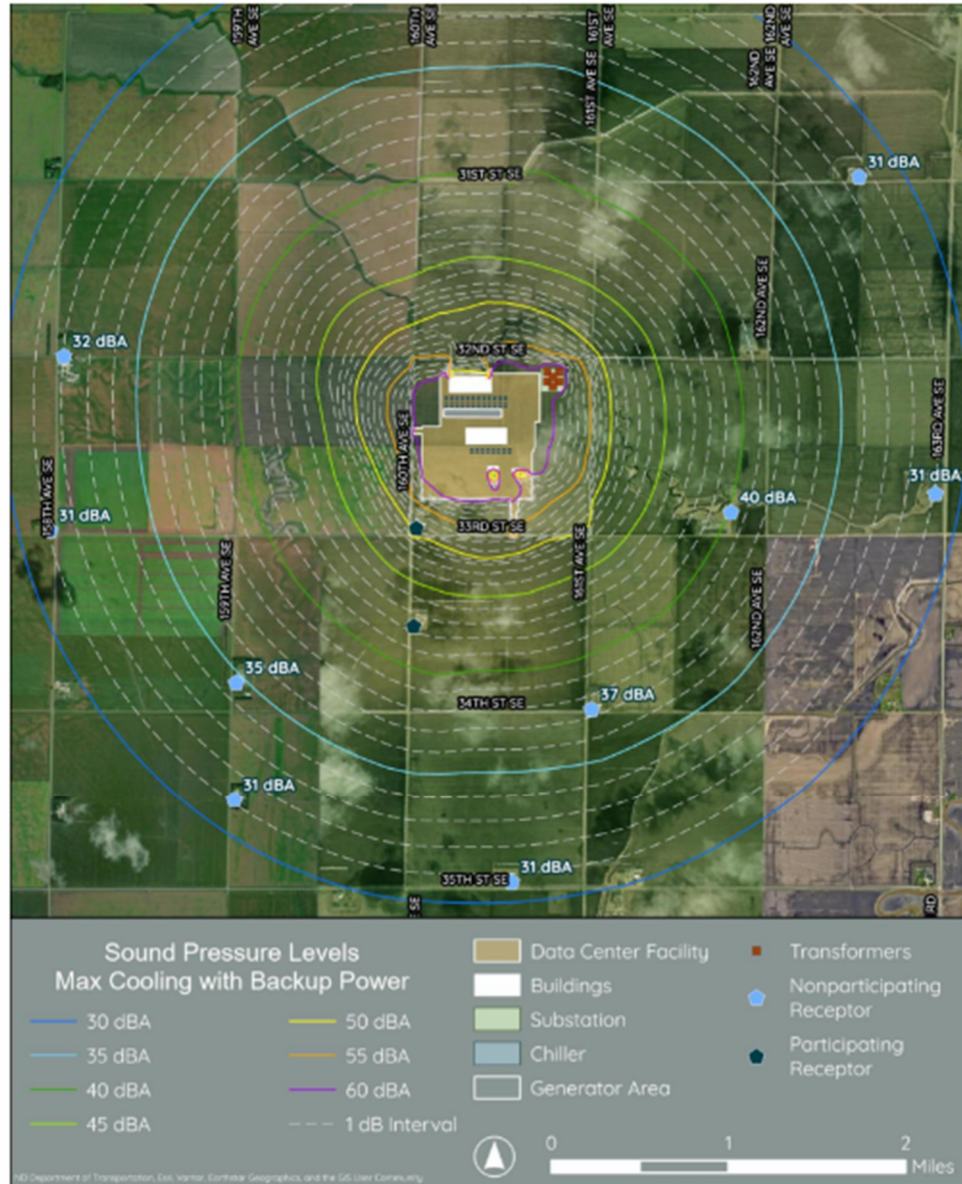
The main sources of noise for the Project are chillers, backup generators, and transformers. In accordance with Section 6.21.3.13 of the Ordinance, the Applicant retained a qualified acoustical consultant to evaluate sound emissions associated with the Project. For the assessment, USGS terrain data was used for the Project to create the three-dimensional topography throughout the surrounding area. Other site features including the proposed locations of equipment, the location of inhabited residences and the Project property lines were all factored into the model. An analysis was conducted assuming the highest equipment assumptions including the maximum number of potential chillers, backup generators, and transformers that could be used operating simultaneously. Additionally, sound emissions associated with Otter Tail Power's utility substation have been included to show the cumulative sound level in the event that the utility substation is located within the Project Site.

The Project incorporates multiple layers of noise mitigation, including strategic siting of mechanical equipment near the center of the property, utilization of data center buildings as sound barriers, acoustically treated chillers, hospital-grade generator exhaust silencers, and generator enclosures. These measures were included in the conservative worst-case noise analysis which demonstrates that Project sound levels can be maintained below the Ordinance-required 45 dBA limit within 100 feet of an inhabited residence or community building and complies with Section 6.21.2.4 of the Ordinance. Refer to **Appendix 11** for the noise study and Figure 2 below. Final design provided at the time of building permit submission will include an updated noise analysis to demonstrate continued compliance with the Township's noise regulation. Additionally, the Project will be required to conduct twenty-four hour, real-time compliance monitoring for

exterior noise levels by an independent third party contractor throughout operations and provide annual compliance reports to the Township under Section 6.21.2.4 of the Ordinance.

Temporary construction-related noise will be limited to active construction periods and minimized through proper equipment maintenance, implementation of good housekeeping practices, and reasonable site management practices designed to reduce nuisance impacts to surrounding properties.

Figure 2. Sound levels within 100 feet of inhabited residence or community building



2.4 PLANS FOR ADEQUATE UTILITIES AND INFRASTRUCTURE

2.4.1 Parking (Ord. Secs. 6.1 and 6.21.3.4)

Section 6.1 of the Ordinance establishes minimum off-street parking requirements for commercial and industrial use. The Project will provide off-street parking in compliance with this section of the Ordinance. Adequate parking at the Project will be available to safely accommodate employees, visitors, contractors, emergency responders, and operational activities associated with the Project.

Data centers differ from many traditional commercial and industrial land uses because they are characterized by large building footprints, significant equipment areas, and relatively low employee occupancy levels. As a result, parking demand is often driven by actual operational staffing and site activity rather than building areas alone.

Consistent with the Ordinance and in consultation with the Planning and Zoning Administrator, the Applicant will prepare a parking demand study during final design to evaluate anticipated staffing levels, shift changes, visitors, contractors, security personnel, fleet vehicles, accessible parking requirements, and other operational characteristics of the Project. The study will establish an appropriate operational parking demand for the Project and will be used to confirm the number of parking spaces needed to support long-term operations.

This approach helps ensure the site provides sufficient parking to accommodate anticipated demand while avoiding the construction of unnecessary parking areas and impervious surfaces that could increase stormwater runoff and land disturbance without providing a corresponding operational benefit. The site design will also preserve flexibility for future parking expansion should staffing levels or operational demands increase over time.

Documentation supporting the operational parking demand will be submitted with the building permit application and will include calculations, assumptions, and supporting analysis prepared by a qualified professional.

2.4.2 State and Federal Permitting (Ord. Sec. 6.21.3.11, 6.21.3.14(k))

The Project conforms to the provisions of all applicable ordinances, regulations, adopted standards, and all applicable conditions.

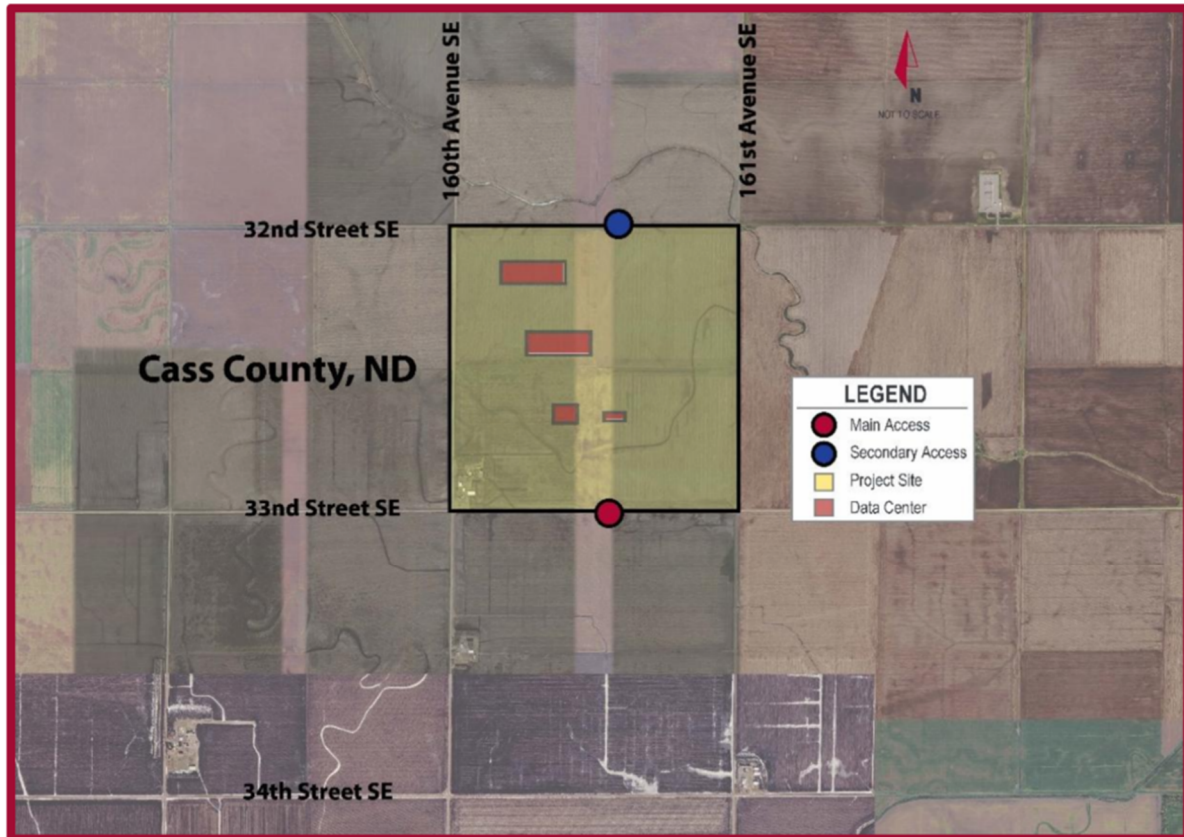
Because certain permits and compliance documentation are not available prior to CUP approval, copies of applicable signed permits or documentation demonstrating compliance with state and federal requirements will be provided as they become available and prior to the activity for which such permit or approval is required. This includes, but is not limited to, documentation related to the North Dakota State Electrical Board, the North Dakota State Electrical Code, and other applicable regulatory requirements.

2.4.3 Access (Ord. Sec. 6.21.3.3)

The Applicant has had staff discussions with Cass County on preliminary site access routes from the interstate highway system with additional coordination planned as development of the Project advances. See *Section 3.1.2 Construction Traffic* for a description of the planned routes to the site. Primary access would come from an access driveway into the site proposed along the corridor at the south end of the property. The vast majority of vehicular traffic is expected to utilize the primary south site access point. Secondary site access is anticipated from 32nd Street SE and 161st Avenue SE for emergency, secondary, or construction-related access as needed. Access locations and routes are shown in Figure 3. Turn lanes

and other access improvements may be required at the primary access points, subject to final coordination with the Roadway Authorities Having Jurisdiction (AHJ). Final location of site access routes will be subject to final permit approval and road use agreement at the time of building permit application.

Figure 3. Site Access



2.4.4 Electrical Service (Ord. Sec. 6.21.3.14.I)

Electrical Service Structure

The electrical service will come from Otter Tail Power Company (OTP) under OTP's proposed *Section 10.07 Large General Service – Tier III – High Power Compute Tariff* (High Power Compute Tariff), which was filed with the Minnesota Public Utilities Commission (Docket No. E017/M-26-211), the North Dakota Public Utilities Commission (Case No. PU-26-215), and the South Dakota Public Utilities Commission (Docket No. EL26-021), in May, June, and July 2026, respectively.

The tariff establishes a "bring your own generation" framework requiring the large load customer to secure dedicated resources to deliver power to the site. The Applicant understands it must develop or contract for the necessary generation sources for the Project which may include renewable energy, battery storage, and/or natural gas. The Applicant will determine the best options to serve the Project as development advances.

The proposed power strategy addresses one of the primary challenges facing data center development today: securing reliable electric service without shifting costs to existing customers. By pairing dedicated generation resources with Harmony Energy Park, OTP's proposed High Power Compute Tariff provides a

path to long-term power supply which supports regional economic development, meets growing demand for digital infrastructure projects, and protects existing utility customers.

Electrical Service Components

The initial electrical service is expected to provide up to 540 MW of power to the site, with the potential for future expansion subject to end-user demand and utility requirements. Existing electrical transmission infrastructure in the vicinity includes the 345 kV Bison Substation and associated 345 kV transmission lines, running east, south, and west of the Bison substation.

Electrical service is anticipated to include a utility-owned substation and Project owned substation and electrical facilities that receive power from the regional transmission system and distribute it throughout the Project. The Project will include an uninterruptible power supply (UPS) and related electrical equipment to help keep the data center operating during normal conditions and short-term power interruptions. A UPS provides immediate backup power if the electric grid loses power, giving the facility time to safely continue operations or transition to other backup systems. The UPS would be part of the data center's electrical system and would not be a separate battery energy storage system.

Existing and proposed transmission facilities are subject to final design and route permitting. The utility substation and associated electric service line will be permitted at a later date, and ultimately constructed, and owned by Otter Tail Power.

2.4.5 Fiber/Telecommunications Infrastructure

The Project's telecommunications infrastructure will be designed to provide high-capacity, low-latency connectivity capable of supporting data center operations. Based on preliminary fiber feasibility review, multiple providers have been evaluated within proximity of the site, with Dakota Carrier Network (DCN) and Consolidated Communications (Fidium) identified as viable service providers with the capability to serve the Project site. Final telecommunications routing and service configuration will be determined through continued coordination with the selected providers and will be subject to final engineering, permitting, and service agreement requirements.

2.4.6 Water Usage and Infrastructure (Ord. Secs. 6.21.2.7 and 6.21.3.5)

The Project intends to source domestic and fire water from Cass Rural Water District (CRWD) or via a well in coordination with the North Dakota Department of Environmental Quality (NDDEQ), while sourcing the technical cooling water for operations from a qualified off-site supplier.

As it relates to domestic and fire water use, CRWD contracted AE2S, an engineering and consulting firm, on July 22, 2026, to evaluate infrastructure requirements necessary to provide water service to the Project site. This evaluation indicated up to 50,000 gallons per day (gpd) of total water supply is available for the Project, subject to CRWD board approval, confirmation of service location and capacity, and all required off-site improvements being completed and paid for by the Project. At no time during the construction of the Project or after construction will the demand from the Cass Rural Water System exceed the 50,000 gpd of water. Excess water needs will be responsibly sourced through methods such as rainwater harvesting, additional onsite storage, or water hauling services.

On-site water infrastructure will be privately owned and maintained, therefore on-site water easements will not be required. However, off-site easements, permits, or other property rights may be required for the

CRWD watermain improvements necessary to extend service to the Project Site, including along roadway corridors where the underlying right-of-way is not owned by the Township. The Applicant will continue coordinating with CRWD, AE2S, affected property owners, and applicable permitting authorities to secure any required easements or approvals associated with the off-site water service improvements prior to construction.

2.4.6.1 Water Use During Construction

Where water is needed for soil compaction, equipment cleaning, or other temporary construction uses, the Project will seek to use water from onsite stormwater ponds. As described in Section 3.1.1.1, non-water dust-control methods will be prioritized where practical. Portable water storage and treatment facilities will be provided during construction to reduce hauled water needs and maximize water reuse to the extent practical. Temporary tank storage will be utilized during the construction phase for water in excess of the allocated CRWD volume.

In the event the Project requires temporary groundwater dewatering during construction, dewatering activities will be conducted in accordance with applicable North Dakota Pollutant Discharge Elimination System (NDPDES) permit requirements and the Project's Stormwater Pollution Prevention Plan (SWPPP). Before any water is discharged, the Project will review where the water will go, how it will be controlled, and what measures are needed to prevent sediment, muddy water, or other construction-related impacts from reaching nearby drainage areas, waterways, or neighboring properties. The Project will implement applicable Construction and Environmental Disturbance Requirements provided by the North Dakota Department of Health (NDDH), including inspection, monitoring, stabilization, and documentation procedures necessary to maintain compliance during active construction and restoration activities.

Construction-phase water use would be temporary. This limited time use is separate from the operational water supply and water management requirements following completion of construction.

2.4.6.2 Water Use During Operations

Cooling Water

The Project will utilize a closed-loop (dry- or air-cooled) cooling system. A closed-loop cooling system recirculates a water solution with corrosion-inhibitors within a sealed system and does not rely on evaporation as the primary method of heat rejection, similar to a radiator in a car. Compared to a traditional wet-cooled system, a closed-loop system substantially reduces operational water consumption and wastewater (WW) generation because it does not require continuous make-up water or routine blowdown discharges. The system will be filled prior to operations with a one-time fill volume expected to be approximately 500,000 gallons. The quantity and frequency of make-up water will ultimately be determined during the final design of the cooling system and operational planning.

All cooling-system water will be trucked to the Project from an offsite supplier and will not be sourced from CRWD or with well water. There will be small storage totes to hold the trucked in cooling water to be used for top off in the event of routine maintenance or minor leaks within the system.

Domestic Water

Domestic water demand for the Project is anticipated to average approximately 15,000 gallons per day, with peak demand approaching 20,000 gpd and will be sourced from CRWD or via a well in coordination with the NDDEQ. This demand is roughly equivalent to one commercial car wash. A dedicated onsite domestic water storage and booster pump system is anticipated to be constructed to provide operational reliability and maintain required system pressures.

Fire Water and Irrigation

Fire protection will be provided through a combination of onsite storage tanks, stormwater harvesting, fire pumps, and associated distribution infrastructure, subject to final engineering design and applicable fire code requirements. Stormwater collected within basins at the Project Site may be used to supplement fire protection storage, with CRWD water or well water serving as backup water when necessary.

CRWD supply or well water will not be utilized for landscape irrigation. Irrigation demand, if required, will be supplied from onsite stormwater basins.

2.4.7 Sanitary Sewer Plan (Ord. Sec. 6.21.3.6)

The Project Site is not currently serviced by a municipal wastewater (WW) treatment plant, therefore, domestic WW generated by the Project is proposed to be treated onsite by a sewage treatment system, commonly referred to as a septic system. The Project has a projected daily flow of domestic waste of 15,000 gallons per day (gpd).

Domestic WW will be pumped from each of the buildings to a central area where the treatment tanks and disposal area will be located. Once the WW enters the treatment area, the water will enter a series of large septic tanks to allow the larger solids to settle out. When the WW leaves the septic tanks, it will pass through a series of filters to prevent larger particles from passing into the treatment system. Additionally, this system will remove nitrogen from the waste stream.

The proposed sanitary force main will be a private force main from the building to the proposed septic system and will be internal to the site. The onsite septic system will be designed, permitted, constructed and operated in compliance with Cass County Amended Ordinance #2015-1 and all applicable North Dakota requirements. The Project will coordinate with the NDDEQ and Cass County throughout permitting the design to ensure compliance with health, safety, and environmental standards. Required permits will be obtained prior to construction, and the system will be subject to applicable state and county oversight.

2.4.8 Stormwater Management Plan (Ord. Sec. 6.21.3.6)

2.4.8.1 Construction Stormwater

Construction and operation of the Project will incorporate industry-standard Best Management Practices (BMPs) for stormwater management, including sediment and erosion control measures, and site stabilization and restoration practices. Construction activities will be monitored to ensure effective implementation of these measures and compliance with all applicable environmental regulations, permit conditions, and operational requirements. The Project will obtain and maintain all required stormwater permits and authorizations, including coverage under the applicable National Pollutant Discharge Elimination System (NPDES) program, as necessary to regulate stormwater discharges and ensure compliance with applicable monitoring, inspection, recordkeeping, and reporting requirements.

2.4.8.2 Post-construction Stormwater

A Stormwater Management Report was prepared and evaluates existing and proposed drainage conditions for the Project (**Appendix 9**). The Project Site is currently undeveloped agricultural land that generally drains east toward the Lower Branch Rush River. Portions of the eastern area of the Project Site contain FEMA Zone A and Zone X floodplains, and small wetlands are in the southwestern corner of the property. Impacts to these features are not anticipated, however if final design requires impacts, they will be permitted through the County and applicable federal agencies prior to construction. Stormwater runoff will be collected and managed through a network of storm sewer systems and multiple stormwater retention basins. These basins are designed to provide water quality treatment, control runoff rates, and safely convey stormwater

to existing downstream drainage systems while accommodating the increase in impervious surfaces associated with the Project. Preliminary hydraulic modeling and drainage analyses were completed to demonstrate that the proposed stormwater management system will provide adequate treatment, storage, and rate attenuation in accordance with applicable State of North Dakota requirements.

3 Construction, Operation, and Decommissioning

3.1 PROJECT CONSTRUCTION AND RESTORATION

Construction of the Project is anticipated to commence within 4 years of the issuance of the conditional use permit. The Applicant acknowledges that if construction does not begin within that 4-year period, the permit will expire unless extension is granted by Harmony Township. Construction mobilization will occur following receipt of all required permits and approvals and completion of applicable notice periods. Construction activities are anticipated to span approximately 2 to 4 years.

3.1.1 Construction

Construction will incorporate industry-standard Best Management Practices (BMPs) to avoid, minimize, and mitigate potential environmental impacts. Construction activities will be monitored to ensure effective implementation of these practices and compliance with all applicable environmental regulations and permit conditions.

3.1.1.1 Dust Control

During construction, dust may be generated by excavation, grading, demolition, material handling, and equipment movement within active construction areas. Dust emissions will be controlled through implementation of appropriate BMPs, including chemical dust suppressants, surface stabilization, reduced vehicle speeds, stabilized construction entrances, covering or securing stockpiled materials, and other measures necessary to minimize dust. The Project will prioritize non-water dust control methods where practical, with water application used only as needed. Because traffic and haul roads will be fully paved prior to major construction activities, dust-control measures are expected to focus primarily on active construction areas, disturbed soils, and material handling.

3.1.1.2 Hazardous/Solid Waste

Solid waste generated during construction would be collected, stored, transported, and disposed of in accordance with applicable solid waste management requirements. Hazardous waste generation is not anticipated as part of construction activities. Based on the preliminary Project design, materials that may be generated, utilized, stored, treated, or disposed of onsite during operations include emergency generator fuels, lubricants and oils, transformer insulating oils, batteries and associated battery electrolytes, cooling-system water treatment and corrosion-inhibitor solutions, cleaning and maintenance products, fire protection system materials, and other common commercial or industrial facility materials. Final material types, quantities, storage methods, and container sizes will be determined during final design and any permits that may be required will be obtained and provided as part of the building permit approval.

A Spill Prevention, Control, and Countermeasure (SPCC) plan is required during construction and operations and will be prepared as required by the EPA under 40 CFR Part 112. It will be kept on site and readily accessible during inspections or emergencies, with digital copies as a supplement. The SPCC will include secondary containment systems capable of preventing oil from escaping in case of equipment failure. Additionally, it will provide clear instructions for reporting spills, estimating quantities, and mitigating environmental impact.

3.1.1.3 Air Quality

The backup generation system will utilize modern EPA-certified diesel generators fueled by ultra-low sulfur diesel fuel or hydro-treated vegetable oil. The generators will emit limited quantities of nitrogen oxides (NO_x), particulate matter (PM), carbon monoxide (CO), volatile organic compounds (VOC), sulfur dioxide (SO₂), and greenhouse gases during operation. Air quality impacts can be minimized through the use of modern engine technology, manufacturer-recommended maintenance practices, compliance with all applicable air permits, and implementation of any emissions control technologies required through the permitting process. Advanced generator technologies, including Tier 4 engines and exhaust treatment systems such as selective catalytic reduction (SCR), may be utilized where appropriate to further reduce emissions. Generator operation will be subject to applicable permit requirements, operating limitations, monitoring, and recordkeeping provisions established by the NDDEQ and other regulatory agencies. These measures would minimize air quality impacts while ensuring reliable backup power and grid reliability support functions. The Project will comply with all applicable air quality requirements.

Operations will be distinct from temporary construction-phase activities and is anticipated to function as a typical data center facility subject to applicable operational permitting, reporting, and compliance obligations. The Project will obtain and maintain required air quality authorizations, as necessary to regulate emissions, establish operational limits, and provide oversight for monitoring, inspection, recordkeeping, and compliance reporting. Ongoing operations will be managed as a conditionally permitted use within the county and will remain subject to applicable federal, state, and local permits, inspections, best management practices, and compliance obligations necessary to protect air quality, public health, and surrounding environmental resources.

Air permitting for the Project will occur according to final design and equipment selected. This permit will be obtained from the NDDEQ.

3.1.2 Construction Traffic (Ord. Sec. 6.21.3.14.e)

The Project is anticipated to generate short-term construction traffic and long-term operational traffic. A traffic study was prepared to evaluate existing roadway conditions, anticipated site access, trip generation, trip distribution, and preliminary mitigation needs for the proposed data center development. The Traffic Report is provided in **Appendix 10**.

Traffic Improvements

Preliminary traffic improvements may include paving gravel and farm roads, adding turn lanes, localized widening, geometric upgrades, pavement strengthening, shoulder widening, and intersection improvements near primary access points. Final mitigation requirements will be determined through continued coordination with the County, NDDOT, and the Township AHJ. Final mitigation requirements will be provided by the Project with no additional costs to the Township.

Trip Generation

Operational trip generation was estimated using the Institute of Transportation Engineers Trip Generation Manual, 12th Edition, Land Use Code 160 – Data Center. The Project is estimated to generate approximately 920 daily operational trips, including 88 AM peak hour trips and 63 PM peak hour trips, as summarized in Table 2.

Table 2 – Operational Traffic Summary

Land Use Description	Operational Traffic						
	Daily Trips	AM Peak Hour			PM Peak Hour		
		In	Out	Total	In	Out	Total
LUC 160 – Data Center	920	63	25	88	12	51	63

Construction traffic estimates were based upon construction activity of similar data centers and assumes approximately 1,500 daily construction workers on site. Construction activity is estimated to generate approximately 660 AM peak hour trips and 540 PM peak hour trips, summarized in Table 3.

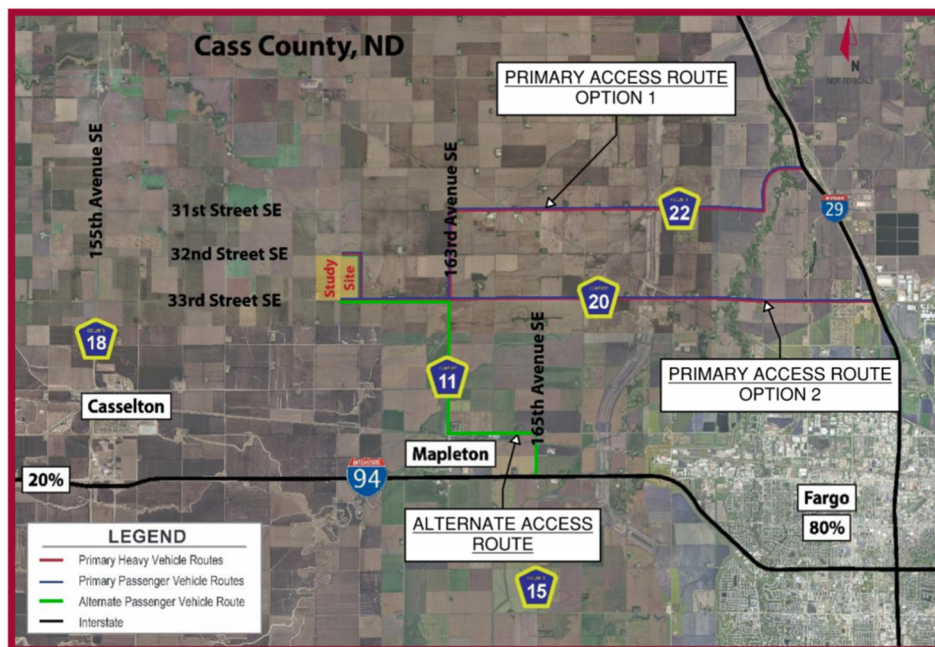
Table 3 – Construction Traffic Summary

Land Use Description	AM Peak Hour			PM Peak Hour		
	In	Out	Total	In	Out	Total
Construction	595	65	660	55	485	540

Trip Distribution and Mode of Travel

Trip distribution was estimated using surrounding roadway characteristics, existing traffic patterns, and professional judgment. As shown in Figure 4, approximately 80% of trips are expected to travel to/from the Fargo Metro Area and 20% to/from the west via I-94. Traffic from I-94 will use I-29 and then access the site via County Road 20 or County Road 22. Project traffic is expected to consist primarily of employee, construction worker, service, and construction truck vehicles. While traffic may originate from multiple directions, final routes will be established during design and managed by the General Contractor and local authorities to ensure use of designated routes. Primary access Option 1 is via County Road 22, and Option 2 is via County Road 20. An alternate route is available via County Road 11 and County Road 15 and may be used by passenger vehicles traveling to/from western I-94.

Figure 4 - Anticipated Trip Distribution



3.1.3 Road Use Agreement (Ord. Sec. 6.21.2.11)

The Applicant will enter into a Road Use Agreement with the Township. The Applicant acknowledges that construction of the Project will require coordination with Harmony Township, Cass County, and other applicable roadway authorities regarding access, haul routes, roadway improvements, and permits. The Applicant will comply with all applicable township requirements related to the use of township roads and rights-of-way, including any required access permits, road permits, maintenance obligations, restoration requirements, or financial assurances. Both primary routes shown in Figure 4 would require paving to accommodate site-generated traffic. The County has indicated plans to pave one route; any additional roadway improvements or repairs necessitated by Project construction will be completed at the Applicant's expense.

3.1.4 Post-Construction Restoration

The proposed landscape and restoration approach is intended to maintain compatibility with the agricultural and rural character of Harmony Township while promoting long-term site stability and ecological function. Disturbed areas will be restored using native or regionally appropriate vegetation selected based on final site conditions, regulatory requirements, and long-term maintenance considerations. The final restoration strategy will be designed to establish durable vegetation cover, support soil health, minimize erosion potential, and provide stormwater management benefits.

Native vegetation is well suited to local growing conditions and can provide important environmental benefits through deep root systems, improved soil structure, enhanced stormwater infiltration, reduced maintenance requirements, and increased resilience to drought and seasonal weather conditions. Where appropriate, landscaping may also be utilized to complement site design, provide visual transition between Project components and surrounding land uses, and support habitat value consistent with the overall Project objectives. Refer to **Appendix 3**, sheet L-01 for the Preliminary Landscape Plan.

The Project will comply with all applicable Ordinance requirements, including applicable restoration requirements.

3.2 PROJECT OPERATIONS AND MAINTENANCE (ORD. SEC. 6.21.3.14.A-D, J)

The Project is expected to operate continuously, 24 hours per day, seven days per week, consistent with typical data center operational requirements. The Harmony Energy Park is intended to support regional and national digital infrastructure needs and is not limited to serving a specific customer base or service area. Day-to-day operations are not anticipated to generate regular public or client traffic, with site access generally limited to employees, contractors, service providers, maintenance personnel, and authorized visitors. Based on facilities of comparable size, the estimated number of non-employee attendees, including clients, vendors, contractors, and other authorized visitors, is expected to be fewer than 50 individuals on site at any given time during normal operations. Security measures will include a perimeter fence and two controlled access entrances. The proposed stormwater basins will be located outside of the perimeter fence to allow for maintenance access without entering the secure perimeter. The Project will comply with all applicable federal, state, and local regulations governing noise and light pollution.

Normal operation of the proposed data center is not expected to result in significant air emissions. Air emissions during normal operations are expected to be limited primarily to emergency backup power generation equipment, periodic testing activities, facility vehicles, and other minor ancillary sources.

For more information regarding air quality, refer to Section 3.1.1.3.

3.2.1 Operations Traffic (Ord. Sec. 6.21.3.14.e)

During normal operations, traffic will consist primarily of employees, service, and delivery vehicles. Based on the Traffic Study (**Appendix 10**), the Project is anticipated to generate approximately 920 daily trips, including 88 AM peak-hour trips and 63 PM peak-hour trips. Traffic will be accommodated through the proposed access improvements and roadway network serving the site.

3.2.2 Emergency Plan (Ord. Sec. 6.21.3.8)

Prior to construction, the Project will develop and maintain an Emergency Response Plan in coordination with local fire departments, law enforcement, emergency medical responders, and other applicable agencies. The plan will address fire protection, medical emergencies, severe weather, utility outages, hazardous material incidents, security events, and other potential emergency conditions.

All emergency procedures, employee training, responder access, 911 site addressing, communication protocols, life-safety systems, and emergency access routes will be developed and maintained in accordance with applicable codes and permit requirements and will be periodically reviewed and updated as needed to reflect operational changes, regulatory requirements, and coordination with local emergency response agencies.

As illustrated in the Emergency Access Plan in **Appendix 7**, the Project is anticipated to include primary and secondary site access points, dedicated fire lanes, fire hydrants, fire department access boxes at secured entrances, designated emergency responder routes, and fire water storage infrastructure to support emergency response access and operations.

3.3 DECOMMISSIONING AND RECLAMATION (ORD. SECS. 6.21.3.9, 6.21.3.10, 6.21.3.15, AND 6.21.3.16)

A Decommissioning and Reclamation Plan has been prepared to determine how the Project will be managed once no longer operating. The preferred outcome is to preserve the Project Site for future industrial reuse, rather than abandon it (industrial reuse scenario located in **Appendix 6**). This reuse scenario has been thoughtfully developed to ensure the property remains safe, productive, and compatible with the long-term land use goals of the Township and surrounding landowners. This approach is intended to provide a clear pathway for reclamation while preserving future flexibility for beneficial use of the property and intended to return the site to a stable condition, minimize long-term maintenance needs, and support continued use of the property in a manner consistent with local planning objectives and the character of the surrounding area. If required by the Township, decommissioning may also include removal of structures, foundations, underground utilities, and other improvements to a depth of 48 inches, followed by backfilling, grading, soil restoration, and revegetation, as further described in **Appendix 6**. The Owner/Operator will be responsible for decommissioning and restoration of the Project.

A decommissioning cost estimate for the industrial reuse scenario has been prepared by Burns & McDonnell (a North Dakota-licensed engineering firm) and is provided in **Appendix 6**. Based on the preliminary design, the cost of decommissioning the Project to the specifications outlined in the industrial reuse scenario is estimated to be \$3,763,000. The Applicant understands that the industrial reuse scenario would be subject to any applicable permits at state and/or local level at the time of decommissioning. Once the design is finalized, the Project will have an updated decommissioning cost estimate prepared. Prior to construction and following receipt of the building permit, the Applicant will provide a surety bond to Harmony Township for that amount to ensure funding is in place to decommission the Project.

4 Compliance with Applicable Ordinance Provisions

Pursuant to Section 5.1.3.19 of the Ordinance, the Project must obtain a CUP as it is a proposed Data Center located in the Agricultural District.

The following Harmony Township requirements apply to this Application:

- Sections 3.8, 5.1.5, 5.1.6, and 5.1.7 of the Ordinance set forth the general requirements applicable in the Agricultural District. Section 6.1 sets forth requirements for off-street parking.
- Section 6.21.2 of the Ordinance sets forth standards applicable to Data Centers.
- Section 6.21.3 sets forth Data Center-specific CUP application content requirements.
- Section 8.2.4 (incorporating Section 8.1.2) of the Ordinance sets forth the general CUP application data submission requirements.
- The Harmony Township CUP Application Form sets forth additional requirements for CUP submission (**Appendix 2**).

Appendix 1 outlines the required information/documentation and identifies where each requirement is addressed/met in this Application. No permanent monument or wayfinding signs are currently proposed as part of the Project. Should signage be proposed in the future, it will be designed in accordance with the applicable requirements of Sections 5.1.9 and 6.2 of the Ordinance and will be reviewed and documented as part of a future building permit application. Construction related signage will be installed in conjunction with township and county requirements. As demonstrated throughout this Application, the Project complies with all applicable Ordinance requirements and standards.

4.1 COMPLIANCE WITH APPLICABLE SETBACKS (ORD. SECS. 3.8, 5.1.6, 5.1.7, 6.21.2.2, 6.21.2.3, 6.21.2.6.A)

The Project will comply with all applicable Ordinance requirements, including standards and setbacks. Setbacks shown in the Site Plan (**Appendix 3**) are measured from the closest adjacent right-of-way easement line instead of the property boundary or section line. This approach provides a 33-foot buffer in addition to the required setbacks outlined below. Refer to Table 4 below for compliance with applicable setbacks.

Table 4 – Setbacks and Height Standards Table

SETBACK/HEIGHT STANDARDS		
Standard	Township Requirements	Project Design Compliance
Front Yard Setback (Ord. Sec. 5.1.6.1)	75 feet for properties abutting Township Roads 100 feet for properties fronting other Right-Of-Ways	All abutting roads are Township roads; therefore, the setback requirement is 75 feet. At its closest, applicable Project facilities will be at least 100 feet from these features.
Rear and Side Yard Setback (Ord. Sec. 5.1.6.2 and 5.1.6.3)	50 feet from the side lot line	At its closest, applicable Project facilities will be at least 100 feet from these features.
Building Height (Ord. Sec. 5.1.7.7)	Maximum of 35 feet	Proposed building height would not exceed 35 feet.
Fence Height (Ord. Sec. 6.1.4.2)	6 feet in height without approval from the Zoning Administrator.	Proposed fence would not exceed 6 feet without obtaining a permit first from the zoning administrator.
Fence Height for enclosure of Electrical Installations (Ord. Sec. 6.1.4.2)	Minimum of 7 feet.	All enclosures of electrical installation would comply with the National Electrical Safety Code and have a height of 7 feet minimum.
Fence Setback (Ord. Sec. 6.1.4.3)	No permanent fence shall be erected within a road right-of-way or within the confines of a ditch back slope.	At its closest, the fence is at least 200 feet from these features.
Trees Plantings Setback from Center of Roads Rights-Of-Way (Ord. Secs. 6.13.6 and 3.8)	200 feet tree plantings, 100 feet from structures.	Tree plantings are not proposed with this application. If trees are proposed at a later date, they would be planted at least 200 feet from these features. All buildings and structures shall be placed at least 100 feet from Township, county and state highway rights-of-way.
Data Center Setback from Inhabited Residence or Community Building (Ord. Sec. 6.21.2.2)	5280 feet (one mile)	At its closest, aboveground Data Center buildings are at least 5280 feet from these features.
Data Center Setback from all sides from any property line or Township Right-of-Way (Ord. 6.21.2.3)	500 feet	The Project will complete a lot merger to combine all parcels under the same ownership. At its closest, aboveground Data Center buildings are at least 500 feet from non-participating property lines.

4.2 COMPLIANCE WITH CONDITIONAL USE PERMIT CRITERIA (ORD. SEC. 8.2.6)

4.2.1 The establishment, maintenance, or operation of the conditional use will not be detrimental to or endanger the public health, safety, morals, comfort or general welfare.

The Project will not be detrimental to or endanger the public health, safety, morals, comfort, or general welfare. The Project has been designed to comply with all applicable township, county, state, and federal requirements governing data center development. The Project includes fire access entrance gates, fire access roads, setbacks, noise mitigation measures, stormwater management facilities, emergency response planning, site security, traffic improvements, and utility infrastructure designed to protect public health, safety, and welfare as detailed in the Emergency Access Plan in Appendix 7 and section 3.2.2. The Applicant will obtain all required permits and approvals prior to construction and operation.

4.2.2 The uses, values, and enjoyment of other property in the neighborhood for purposes already permitted shall be in no foreseeable manner substantially impaired or diminished by the establishment, maintenance or operation of the conditional use.

As evidenced in this Application, the uses, values and enjoyment of other property in the neighborhood for purposes already permitted will not be substantially impaired or diminished by the establishment, maintenance or operation of the Project. Property values are influenced by many factors, including market conditions, economic trends, community growth, property characteristics, infrastructure, schools, and nearby land uses. Concerns regarding property values are typically tied to specific impacts such as noise, traffic, lighting, visual appearance, and other site conditions rather than the land use itself.

The Project has been designed to address these potential impacts through substantial setbacks and buffering from residences, traffic management, lighting controls, noise mitigation measures, stormwater management, utility planning, and compliance with applicable township, county, state, and utility requirements. These measures have been evaluated through technical studies and engineering design and are subject to review through the CUP process. By identifying and mitigating potential impacts to nearby residences, the Project is intended to operate compatibly with surrounding land uses.

4.2.3 The establishment of the conditional use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district.

The Project will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district. The Project is consistent with the Ordinance, which identifies data centers as a conditional use within the Agricultural District. The Project's location, setbacks, utility planning, access design, and operational characteristics allow surrounding properties to continue being utilized for agricultural and other permitted uses without restricting future development opportunities.

4.2.4 Adequate utilities, access roads, drainage, and other necessary site improvements have been or are being provided.

Adequate utilities, access roads, drainage, and other site improvements already exist or can be constructed within the Project Preliminary Development Area. The Application includes an outlined approach for electrical service, telecommunications infrastructure, water service, sanitary wastewater treatment, stormwater management, parking, and site access. Required utility improvements, roadway improvements,

drainage facilities, and supporting infrastructure will be constructed in coordination with the applicable reviewing authorities and service providers.

4.2.5 Adequate measures have been or will be taken to provide ingress and egress so designed to minimize traffic impact on the area.

As discussed above, the Project has or will establish adequate access points and roads. The Applicant will coordinate with appropriate road authorities on anticipated road use and the need for improvements and/or driveway/access changes prior to construction. A traffic study (Appendix 10) has been completed to evaluate construction and operational traffic associated with the Project. The proposed routes have been carefully analyzed to avoid sensitive areas such as schools, residential neighborhoods, towns, and adjacent farmsteads to the fullest extent practical. Any identified improvements necessary to safely accommodate Project traffic will be provided by the Project.

4.2.6 The conditional use shall substantially conform to all applicable regulations of the district in which it is located.

As demonstrated throughout this Application and summarized in Appendix 1, the Project complies with the applicable provisions of the Ordinance, including Agricultural District requirements, data center standards, conditional use permit requirements, and all other applicable zoning and performance standards.

5 Conclusion

As outlined throughout this Application and in **Appendix 1**, the Project complies with all applicable requirements of the Ordinance. Accordingly, CCDC ND, LLC respectfully requests approval of the CUP for the Harmony Energy Park.