

Sean McCormack, District Attorney
1 Courthouse Square, Suite 202
Carlisle, PA 17013

September 1, 2026

Dear District Attorney McCormack:

On behalf of Stewards of Cumberland Valley, I hereby request an expedited, full-scale investigation of the process by which the Middlesex Township Board of Supervisors rezoned 694 acres for the PAX-1 hyperscale data center — through an ordinance drafted by the developer's own attorneys, adopted May 30, 2025, just five weeks after it was formally requested, and re-enacted unchanged in the September 3, 2025 comprehensive zoning revision.

To paraphrase Republican Senator Howard Baker during the Watergate Hearings, the people of Middlesex and Cumberland County need to know what the supervisors knew and when they knew it. There is a lot of smoke in the operation of Middlesex Township. We ask you to learn the cause and scope of the fire and report what you find to the people of Cumberland County.

The proposed PAX-1 hyper data center is the largest single construction project in Cumberland County since the U.S. Naval Supply Depot during World War II — nearly five million square feet of buildings, larger than any data center campus now operating in Pennsylvania and among the largest in the world, on land surrounded by roughly 65 residential properties and working farms. It is inconceivable that the supervisors did not understand the enormity of their decision.

The quality of our fishing streams is legendary. Our fertile farmland has been treasured literally for centuries. Cumberland County already ranks among the bottom 25 counties in the entire United States in air quality. PAX-1 does nothing to improve the quality of life in Cumberland County. It does the opposite.

The public record — much of it pried loose through Right-to-Know requests — already shows that the public was excluded. It does not tell us why.

- On December 4, 2024, the developer's attorney delivered a pre-drafted Data Center Overlay Ordinance, boundary map included, to the Township's zoning officer and planning consultant. Which supervisors knew of it, and why was it never disclosed at a public meeting?
- On January 7, 2025, the Township's planning consultant confirmed in writing that the developer's language had been incorporated into the Township's own draft zoning ordinance. Who authorized a private developer to write a law FOR the Township?
- Where are the records of every meeting, email, phone call and other communication between the developers, their attorneys, and each of the supervisors from 2024 forward?
- After the Cumberland County Planning Commission recommended against the amendment to the zoning, the developer's attorney emailed the zoning officer: "Can we get it on the agenda for Friday?" Township staff hurried to place it on the agenda of a meeting three days away. Who cleared the way?

- On May 12, 2025, eighteen days before the public hearing, the zoning officer told the planning commission that the Board “was in favor of the proposed Zoning Ordinance and Map Amendments so this project can go forward.” How was the outcome known before the hearing was held?
- Why did the supervisors vote on May 30, 2025 without an environmental impact assessment in hand, a study that was not even prepared until nearly three months after the vote and NOT reviewed by the Township’s own consultants until October?
- What was discussed when the developer’s team met with the Governor’s Office of Transformation and Opportunity on April 30, 2025 to map out a “phased permitting approach” for its state permits?
- Subsequently, in the midst of all of this subterfuge, why was the developer allowed to author their own environmental impact assessment?
- Did the supervisors sign a non-disclosure agreement that has not been made public?

These are just the obvious questions. Your investigation no doubt would lead to many more.

It is further inconceivable that the County Commissioners were taken by surprise by the action of the Middlesex supervisors. The county’s own planning staff and Planning Commission urged the Board to wait — to fold any data center provisions into the comprehensive rezoning already underway — and were brushed aside. Again, what did each of those public officials know, and when did they know it?

It is simply unbelievable that the incumbent Middlesex supervisors did not know of the resignation of one of their fellows elected officials until weeks after it occurred. Why did the remaining supervisors fail to inform and engage the public immediately in the 45-day replacement process?

Five Middlesex Township families have already formally challenged these ordinances as unlawful spot zoning. But residents do not have either the same ability or responsibility to learn the truth as you do, being the public official whose mission is to “ensure that justice is done in a fair, effective, and efficient manner by pursuing the truth, and safeguarding the fundamental fairness guaranteed to all through the Constitutions and laws of the United States and the Commonwealth.” [Mission statement for the Cumberland County District Attorney.]

The citizens of Middlesex Township and the surrounding area do not have confidence that their elected officials are pursuing the truth or safeguarding fundamental fairness. All the citizens of Cumberland County need to have faith in someone, and we ask that that someone be you.

Respectfully,

John Werner

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