



February 17, 2026

Subject: Procedural Deficiencies – Pennhurst Conditional Use Application

Dear East Vincent Township Supervisors, Township Planning Commissioners, Township Manager and Township Solicitor

I am writing to formally address significant procedural concerns arising from the February 17, 2026, correspondence submitted by counsel for Pennhurst Holdings DE, LLC regarding its pending conditional use application. In that letter, the applicant confirms that revised plans will be submitted prior to the scheduled March 16 hearing and that those revisions will include the addition of on-site private power generation.

This admission is highly consequential. It establishes, first and foremost, that the application presently before the Township is incomplete and does not represent the applicant's final proposal. The acknowledgment that new plans are forthcoming demonstrates that the project currently under review is not the project that will ultimately be presented for approval.

Equally important, the applicant's own description indicates that these forthcoming revisions are material in nature. The addition of on-site power generation and related infrastructure necessarily affects utility systems, site layout, operational characteristics, environmental considerations, and potential impacts. **These are not minor or technical refinements; they are substantive alterations that change the scope and nature of the proposal.**

Because of this, the Planning Commission cannot meaningfully perform its review function until the revised plans are actually submitted. A recommendation based on incomplete or superseded materials would not reflect an informed analysis of the proposal and would undermine the purpose of the Commission's advisory role.

Section §27-1901.5A of the Zoning Ordinance requires that the Planning Commission review a conditional use application prior to the Board of Supervisors' hearing. That requirement presupposes that the Commission has before it a complete and accurate submission. Where revised plans have not yet been filed, reviewed, or evaluated, the required review cannot lawfully or practically occur.

Moreover, as a matter of standard land-use procedure, material revisions submitted after filing but before a hearing typically restart the 60-day review process. This is necessary to ensure that Township consultants have the opportunity to conduct a full analysis, that the public is able to review the actual proposal under



consideration, that the process remains procedurally fair, and that any eventual municipal action is defensible if challenged. **Proceeding otherwise risks creating a defective record and exposes the Township to avoidable procedural vulnerability.**

For these reasons, the prudent and legally sound course of action is straightforward. **The Township should require withdrawal of the current application, direct the applicant to submit a complete revised application reflecting its actual proposal, restart the applicable review timeline, and schedule Planning Commission consideration only after all materials have been received and evaluated by the appropriate consultants.**

Such action would not be punitive toward the applicant. Rather, it would reflect routine and widely accepted land-use practice and would ensure compliance with both the Township's ordinance requirements and fundamental principles of due process.

Ensuring that review occurs only after a complete submission protects the integrity of the municipal process, supports informed decision-making, and safeguards all parties involved.

Respectfully,
Christine McNeil
President, East Vincent Advocacy