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February 17, 2026

**VIA ELECTRONIC MAIL ONLY** ([hbaer@eastvincent.org](mailto:hbaer@eastvincent.org))

East Vincent Township Planning Commission  
c/o Haley Baer, Assistant Township Manager/Zoning Officer  
262 Ridge Road  
Spring City, PA 19475

**RE: East Vincent Township  
Conditional Use Application of Penn Hurst Holdings DE, LLC  
UPI Nos. 21-1-92.7; 21-7-78; 21-1-92.B; 21-1-91; 21-1-92.9; 21-1.92.10**

Dear Members of the East Vincent Township Planning Commission:

I represent Penn Hurst Holdings DE, LLC (the “Applicant”) in connection with its conditional use application for the Pennhurst Tract properties identified as Chester County UPI Nos. 21-1-92.7, 21-7-76, 21-1-92.B, 21-1-91, 21-1-92.9, and 21-1-92.10 (collectively, the “Property”). The Applicant seeks approval of a planned commercial development within the Industrial Mixed Use (“IMU”) Zoning District consisting of an office building, data center buildings, a substation, off-street parking spaces, stormwater management facilities and related improvements (the “Application”).

The Application is presently scheduled for review by the East Vincent Township Planning Commission (the “Planning Commission”) on February 17, 2026, and for the initial conditional use hearing before the East Vincent Township Board of Supervisors (the “Board of Supervisors”) on March 16, 2026.

Section 1901(5)(A) of the East Vincent Township Zoning Ordinance (the “Zoning Ordinance”) requires that the Planning Commission review a conditional use application and provide a recommendation to the Board of Supervisors prior to the initial public hearing. The Zoning Ordinance expressly does not require a formal evidentiary hearing before the Planning Commission. Accordingly, the Applicant is submitting this letter and the Application materials for the Planning Commission’s consideration in lieu of its attendance and a formal presentation of the Application at the February 17, 2026 meeting. The evidentiary record required by the Zoning Ordinance and the Pennsylvania Municipalities Planning Code (“MPC”) will be established before the Board of Supervisors.

The Application demonstrates compliance with the objective standards applicable to a planned commercial development within the IMU District. Under Pennsylvania law, a conditional use is a use specifically permitted by the zoning ordinance. Once an applicant demonstrates compliance with the ordinance standards, the use is presumptively consistent with the public health, safety,

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and welfare, and approval must follow unless objectors present competent evidence of a specific, adverse impact beyond that normally expected from the permitted use. Generalized concerns, policy disagreements, or speculation are not a lawful basis for denial.

Prior to the March 16 hearing, the Applicant intends to submit revised conditional use plans. The revisions will include the addition of on-site private power generation and the relocation of the proposed substation generally in the vicinity of Building A shown on the current plans. The on-site private power generation facility will consist of a natural gas and/or battery storage installation designed to serve the data center buildings and provide operational resiliency, including islanding capability. Such on-site private power generation is not expressly prohibited in the GI - General Industrial District and is therefore permitted in connection with a planned commercial development within the IMU District.

The revised plans will also address, in part, review comments issued by Gannett Fleming Inc. (January 6, 2026), Natural Lands (December 9, 2025), and the Chester County Planning Commission (February 12, 2026). Although certain layout refinements may occur, the overall development intensity will not increase; the total building square footage and maximum building heights will remain unchanged.

Although the evidentiary record on the Application will be established during the public hearings before the Board of Supervisors, I am able to confirm certain representations made by or on behalf of the Applicant regarding the project that may not be readily apparent from the Application. The Applicant proposes to utilize a closed loop direct-to-chip cooling system to significantly reduce water usage associated with the project. It is anticipated that the primary water sources for the cooling system would be reusable, treatable effluent from municipal systems and captured rainwater. Well water is not anticipated to be used for any cooling purposes. The proposed cooling system also runs much quieter than older systems and the Applicant will incorporate other sound attenuation measures such as enclosures for equipment, sound blocking techniques as well as buffering and strategic location of equipment. The proposed on-site private power generation will reduce impact to the electrical grid by allowing the development to have “islanding capability” to stabilize the electrical grid rather than strain it during times of peak usage. In addition, the project will generate approximately 90% less truck traffic than other traditional industrial uses which are permitted by-right in the IMU Zoning District. The project will have a positive fiscal benefit to the Township, Owen J. Roberts School District and the community at large. It will generate multi-million dollar annual real estate tax revenues to the Township and School District once constructed. It will create an estimated 1,000 construction jobs during the construction phase and another estimated 250 permanent jobs once constructed. Finally, the Developer will be solely responsible for all infrastructure upgrades required for the development.



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The Township has already determined, as a legislative matter, that a planned commercial development is an appropriate use within the IMU District and that such planned commercial development may include any lawful use as permitted by the GI – General Industrial District, subject to compliance with the stated criteria. The Application and supporting materials demonstrate that those criteria are satisfied. The formal hearing process before the Board of Supervisors will provide the appropriate forum for sworn testimony and cross-examination. Based on the materials presently before the Township, there is no factual or legal basis to conclude that the proposed development would create impacts greater than those ordinarily associated with a permitted conditional use.

Accordingly, the Applicant respectfully requests that the Planning Commission recommend approval of the Application to the Board of Supervisors.

Very truly yours,

Matthew J. McHugh

MJM:

cc: Penn Hurst Holdings DE, LLC (via e-mail only)  
Joseph Clement, Esquire (via e-mail only)