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March 17, 2026

**SENT VIA EMAIL (mmchugh@klehr.com)**

Matthew McHugh, Esq.  
Klehr Harrison Harvey Branzburg, LLP  
1835 Market Street, Suite 1400  
Philadelphia, PA 19103

**RE: Penn Hurst Holdings DE, LLC – Conditional Use Application  
Extension of time through May 5, 2026 to hold a follow-up hearing**

Dear Attorney McHugh:

Thank you for taking the time to speak with me regarding the above-referenced conditional use application (“Application”).

On March 12, 2026, the Township received a letter, plan and traffic analysis from the Applicant’s Engineer, Langan, which characterizes these documents as a “resubmission of the Conditional Use Application for the Pennhurst Data Centers project.” Despite this characterization, clarification was provided indicating that those documents were, in fact, intended to be supplemental submissions to the existing Application; and not a brand-new conditional use application.

Under the Conditional Use Process set forth in Township Code Section 27-1901.5.B.(1), if an applicant submits “new or revised plans for the use subject to conditional use application and the time of original submission and the time set by the Board of Supervisors for a public hearing the review period shall start anew and the prior plans shall be deemed withdrawn”. As such, the Township has determined that the conditional use plan originally submitted with the Application have been withdrawn; however, the plain language of the ordinance indicates that the Application has not been withdrawn, and may still be subject to the requirements of the Municipalities Planning Code, rather than the Township’s ordinances. Additionally, as of March 16, 2026, the Applicant had granted an extension of time under the Municipalities Planning Code to open a hearing on the subject Application until March 31, 2026, but had not offered a further extension in connection with its March 12, 2026 submission.

Out of an abundance of caution, the East Vincent Township Board of Supervisors opened the hearing on the above-referenced conditional use application last night, March 16, 2026 solely

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to avoid any potential argument for a deemed approval for failure to hold a hearing on a conditional use application in accordance with the Municipalities Planning Code, particularly in light of the March 31, 2026 deadline. Additionally, due to the forecasted inclement weather, school closures and government office closures, no evidence or testimony was taken, nor was any action taken by the Board on applications for party status or otherwise, except to continue the conditional use hearing to a date certain, March 26, 2026 at 6:30 PM at the East Vincent Elementary School, subject to the school's gymnasium being available to the Township for said hearing. Unfortunately, the gymnasium is unavailable on the evening of March 26, 2026.

Based on our conversation earlier today, in light of the foregoing, it is my understand that: 1) the Applicant agrees to extend the time for the Township to hold a substantive hearing on the conditional use application, as amended and revised in accordance with the March 12, 2026 submission, through April 30, 2026; 2) the Township will cancel the hearing announced for March 26, 2026; 3) in accordance with the requirements of the Municipalities Planning Code, the Township will advertise hearing on the subject Application, as revised, for April 20, 2026 at 6:30 PM at the East Vincent Elementary School; 4) the Applicant agrees that the original conditional use plan is withdrawn and replaced by the conditional use plan submitted on March 12, 2026; and, 5) the revised Application will be resubmitted to the Township Planning Commission and County Planning Commission.

Please confirm, in writing, that the Applicant acknowledges, agrees with and accepts my understanding, as outlined above. Thank you.

Very truly yours,



**M. JOSEPH CLEMENT, ESQUIRE**

cc: Robert Zienkowski, Township Manager (via email)