

October 8, 2026

VIA HAND DELIVERY AND ELECTRONIC MAIL: ZONING@UMBT.ORG

Upper Mount Bethel Township
Attn: Tina Serfass, Township Zoning Officer
387 Ye Olde Highway
Mt. Bethel, PA 18343

RE: RPL East, LLC Data Center Project
Validity Challenge and Request for Favorable Use Class Determination
Our Reference No. 14369-

Dear Ms. Serfass:

On behalf RPL East, LLC (“RPL East”), please find enclosed for filing twenty-one (21) copies of a zoning hearing board application and supporting materials (“Application”) with regard to RPL East’s proposed data center development in Upper Mount Bethel Township (“Township”), which is proposed to be located east of River Road, Upper Mount Bethel Township, Northampton County, PA 19505 (Northampton County Tax Parcel Id. No. C12 5 6 0131) (“Subject Property”).

The within Application provides for the following: (1) a Validity Challenge to the Zoning Ordinance pursuant to Sections 909.1(a)(1), 53 P.S. § 10909.1(a)(1) and 916.1 (a)(1), 53 P.S. § 10916.1(a)(1), of the Pennsylvania Municipalities Planning Code (“MPC”), and Section 350-40.C(1)(f) of the Zoning Ordinance; and (2) an alternative Request For Favorable Use Class Determination pursuant to Sections 350-6.A(2)(b), 350-14.B and 350-40.C(1)(c) of the Zoning Ordinance.

In support of the Application, please also find enclosed the following:

- Detailed Validity Challenge and Request for Favorable Use Class Determination, which includes a zoning site plan¹ and other exhibits;

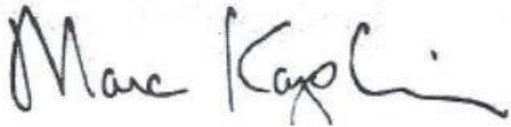
¹ Although RPL East has submitted a zoning site plan with its Application, submission of site plan in accordance with Section 350-32 and review thereunder is not required at this time because, pursuant to the Zoning Ordinance, site plan review is not required for validity challenges or requests for favorable use class determinations. RPL East recognizes that the project will need to undergo the site plan review procedures required by Section 350-15.G(1) and Section 350-32 prior to commencement of construction of the project.

- Deeds and Redevelopment Agreement with the Bangor Area Commercial and Industrial Redevelopment Authority for Subject Property demonstrating RPL East's property ownership interest;
- A check in the amount of \$1,500.00 made payable to the Township for the Zoning Hearing Board hearing fee for the Validity Challenge; and
- A check in the amount of \$1,500.00 made payable to the Township for the Zoning Hearing Board hearing fee for the Request for Favorable Use Class Determination.²

RPL East requests that public notice of the hearing indicate the validity of the Zoning Ordinance is in question and identify the place and times where this Validity Challenge can be examined by the public. RPL East further requests that the hearing be held pursuant to such applicable standards as are set forth in Section 916.1 of the MPC, 53 P.S. § 10916.1.

If you require any additional information, please contact me at your earliest convenience. Your attention to this matter is greatly appreciated.

Very truly yours,



Marc B. Kaplin, Esquire

MBK:jrw
Enclosures

cc: All Via Electronic Mail

Nicholas Graziano, Township Manager (townshipmanager@umbt.org)
Ronold Karasek, Esq., Township Solicitor (ron@karaseklawoffices.com)
Chad DiFelice, Esq. Zoning Hearing Board Solicitor (info@difelicelaw.com)

² The Township's fee schedule requires a Zoning Hearing Board hearing fee of \$1,500.00 for all commercial Zoning Hearing Board applications. Although not required for an administratively complete application, RPL East has nonetheless included two checks in the amount of \$1,500.00, in the event the Township requires an application fee for both requests. Please return the second check if only one application filing fee is required.