



STEVEN GLICKMAN
Chair

CHRISTOPHER AMATO
Vice Chair

KEVIN SCHMIDT
Treasurer

BECKY A. BRADLEY, AICP
Executive Director

COMPREHENSIVE PLANNING COMMITTEE MEETING
Tuesday, December 19th, 2023, 12:00 noon
AGENDA

THE MEETING CAN BE ACCESSED AT <https://tinyurl.com/LVPC2023> OR VIA PHONE 610-477-5793 Conf ID: 661 345 854#.

Roll Call

Courtesy of the Floor

Staff Introductions:

1. Susan Myerov, Director of Environmental Planning
2. Benjamin Dinkel, Transportation Planner

Committee Administrative Business:

1. *DISCUSSION AND ACTION ITEM*: 2024 Comprehensive Planning Committee Meeting Calendar (HM, BB)
2. *DISCUSSION ITEM*: Committee Chair and Vice Chair Selection at January Meeting (BB, SN)

Ordinance/Plan Reviews for December 2023:

1. *ACTION ITEM*: Palmer Township – Comprehensive Zoning Ordinance and Map Update (JS)
2. *ACTION ITEM*: Hanover Township (NC) – Zoning Ordinance Amendment – Developments of Regional Significance (JD)
3. *ACTION ITEM*: Slatington Borough – Zoning Ordinance Amendment – Tobacco Stores/Smoke Shops/Vape Shops (JS)
4. *ACTION ITEM*: Wilson Borough – Zoning Ordinance Amendment – Fees (JS)
5. *ACTION ITEM*: Bushkill Township – Zoning Ordinance Amendment – Single Family Cluster Developments (JS)
6. *ACTION ITEM*: Forks Township – Zoning Ordinance Amendment – Recreation Fees (JD)
7. *ACTION ITEM*: Upper Mount Bethel Township – Zoning Ordinance and Subdivision and Land Development Ordinance Amendments – Inapplicable Provisions and Miscellaneous (JS)

Next Comprehensive Planning Committee Meeting:

Anticipated January 23, 2024 at 12:00 pm, Virtual



2024 LVPC MEETINGS

The following is the schedule of regular monthly meetings and all Committee meetings of the Lehigh Valley Planning Commission. All Commission and Committee meetings will be held virtually via Microsoft Teams, unless otherwise noted. If held in person, the location will be: **Lehigh Valley Planning Commission, 961 Marcon Boulevard, Suite 310, Allentown, PA 18109.**

LVPC – meets on the 4th Thursday of every month at 7:00 PM. Except November & December.

Comprehensive Planning Committee – meets on the Tuesday immediately preceding LVPC meeting dates at 12:00 PM.

Environment Committee – meets on the Tuesday immediately preceding LVPC meeting dates at 11:00 AM

Transportation Committee – meets on the Thursday immediately preceding LVPC meeting dates at 5:30 PM.

Lehigh Valley Planning Commission Meetings

Meets on the 4th Thursday of every month at 7:00 PM. *Except November and December.

Thursday	January 25, 2024	7:00 PM
Thursday	February 22, 2024	7:00 PM
Thursday	March 28, 2024	7:00 PM
Thursday	April 25, 2024	7:00 PM
Thursday	May 23, 2024	7:00 PM
Thursday	June 27, 2024	7:00 PM
Thursday	July 25, 2024	7:00 PM
Thursday	August 22, 2024	7:00 PM
Thursday	September 26, 2024	7:00 PM
Thursday	October 24, 2024	7:00 PM
*Thursday	November 21, 2024	7:00 PM
*Thursday	December 19, 2024	11:00 AM

Environment Committee

Meets on the Tuesday immediately preceding LVPC meeting dates at 11:00 AM.

Tuesday	January 23, 2024	11:00 AM
Tuesday	February 20, 2024	11:00 AM
Tuesday	March 26, 2024	11:00 AM
Tuesday	April 23, 2024	11:00 AM
Tuesday	May 21, 2024	11:00 AM
Tuesday	June 25, 2024	11:00 AM
Tuesday	July 23, 2024	11:00 AM
Tuesday	August 20, 2024	11:00 AM
Tuesday	September 24, 2024	11:00 AM
Tuesday	October 22, 2024	11:00 AM
Tuesday	November 19, 2024	11:00 AM
Tuesday	December 17, 2024	11:00 AM

Comprehensive Planning Committee

Meets on the Tuesday immediately preceding LVPC meeting dates at 12:00 PM.

Tuesday	January 23, 2024	12:00 PM
Tuesday	February 20, 2024	12:00 PM
Tuesday	March 26, 2024	12:00 PM
Tuesday	April 23, 2024	12:00 PM
Tuesday	May 21, 2024	12:00 PM
Tuesday	June 25, 2024	12:00 PM
Tuesday	July 23, 2024	12:00 PM
Tuesday	August 20, 2024	12:00 PM
Tuesday	September 24, 2024	12:00 PM
Tuesday	October 22, 2024	12:00 PM
Tuesday	November 19, 2024	12:00 PM
Tuesday	December 17, 2024	12:00 PM

Transportation Committee

Meets on the Thursday immediately preceding LVPC meeting dates at 5:30 PM. Except December.

Thursday	January 25, 2024	5:30 PM
Thursday	February 22, 2024	5:30 PM
Thursday	March 28, 2024	5:30 PM
Thursday	April 25, 2024	5:30 PM
Thursday	May 23, 2024	5:30 PM
Thursday	June 27, 2024	5:30 PM
Thursday	July 25, 2024	5:30 PM
Thursday	August 22, 2024	5:30 PM
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Thursday	October 24, 2024	5:30 PM
Thursday	November 21, 2024	5:30 PM
*Thursday	December 19, 2024	9:30 AM



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KEVIN SCHMIDT
Treasurer

BECKY A. BRADLEY, AICP
Executive Director

December XX, 2023

Mr. Robert A. Williams, Manager
Palmer Township
3 Weller Place
Palmer, Pennsylvania 18045

**RE: Zoning Ordinance and Zoning Map – Comprehensive Update
Palmer Township
Northampton County**

Dear Mr. Williams:

The Lehigh Valley Planning Commission (LVPC) considered the subject application at its Comprehensive Planning Committee and Full Commission meetings, pursuant to the requirements of the Pennsylvania Municipalities Planning Code (MPC). Both meetings were virtual, and occurred on:

- LVPC Comprehensive Planning Committee Meeting
 - December 19, 2023 at 12:00 PM
 - <https://lvpc.org/meetings.html>
- LVPC Full Commission Meeting
 - December 21, 2023 at 11:00 AM
 - <https://lvpc.org/meetings.html>

The application proposes a comprehensive update to the Township’s Zoning Ordinance. The intent of the Ordinance, as specified in Section 190-103, includes promoting, protecting and facilitating the public health, safety and welfare, preventing overcrowding of land, preserving prime agriculture and farmland, preventing danger and congestion in travel and transportation, maintaining natural resource systems and accommodating reasonable overall community growth. Related updates to the Township’s Zoning Map are also proposed.

The proposed Zoning Ordinance and Map align with numerous goals and policies of *FutureLV: The Regional Plan* as well as the Township’s comprehensive plan, *Tomorrow’s Palmer Sustaining the Legacy 2018 Comprehensive Plan*. The following comments are provided to support the Township’s thorough reworking of its zoning ordinance:

General Provisions and Administration

The provisions included in the proposed Ordinance align with the Pennsylvania Municipalities Planning Code, Article VI that grants powers to municipalities to enact, amend and repeal zoning ordinances to regulate the use of land and structures and to implement comprehensive plans (of Policy 1.4).

Ordinance Usability

The LVPC commends the inclusion of “Quick View” sheets for each zoning district, which provide the district’s purpose, permitted uses and lot dimensional standards. The “Quick View” sheets simplify the ordinance, improve its usability and navigability and are a best practice in managing the land development process (of Policy 1.4).

Housing Attainability

The proposal allows a diverse range of housing types in several zoning districts and overlay districts. Single-family detached dwellings at varying densities are the primary housing type permitted in the Rural Agricultural, Low-Density Residential and Medium-Density Residential zoning districts. The High-Density Residential and Neighborhood Commercial zoning districts allow a greater variety of housing types, including townhouses and twins. Three of the proposed overlay zones also allow a greater variety of housing types: the William Penn Highway Overlay, Freemansburg Avenue Overlay and Eastern Gateway Overlay. The proposal serves to diversify price points and types of available housing (of Policy 4.5) and match development intensity with sustainable infrastructure capacity (of Policy 1.1).

Additionally, accessory dwellings or accessory apartments are permitted in each of the residential zoning districts. The LVPC commends this and the proposed definitions for “accessory dwelling”, which does not restrict who may occupy the unit and promotes best practices in increasing housing opportunities, particularly for younger people and seniors (of Policy 4.5).

Economy

The variety of uses and development options permitted within each zoning district provide flexibility for landowners and support rooting economic development strategies in the unique competitive advantages of the region (Policy 4.1).

The LVPC commends the inclusion of several agricultural-oriented uses, such as farm café, community-supported agriculture (CSA) delivery station and ‘pick-your-own’ operation that create economic opportunities for farmers and support agriculture as essential to the regional economy (of Policy 4.4).

Additionally, the LVPC commends the proposed overlay zoning districts that are intended to establish a coordinated approach for redevelopment and reinvestment that serve to increase development flexibility, promote mixed-use development patterns and encourage reinvestment in commercial areas (of Policies 1.4 and 4.6).

Planning and Emergency Management Coordination

The proposed ordinance incorporates requirements for review by the Township Fire Commissioner, which serves to enhance planning and emergency response efforts among emergency management personnel (of Policy 5.1).

Freight Impact Mitigation

The proposal includes numerous provisions that fulfill LVPC’s recommendations for managing freight-based land uses and align with the Northampton County Freight-Based Land Use Guide.

The proposal establishes two warehouse subcategories based on size - small warehouses (gross floor area less than 25,000 square feet) and large warehouses (gross floor area of 25,000 square feet or more), with provisions applicable small and large warehouses also included. The proposal requires truck parking amenities, including electrical outlets and driver

lounges, and parking space requirements are appropriately sized for commercial vehicles. Adequate queueing space to prevent stacking of vehicles on or along public streets is required, and sites having entry or exit of 20 trucks or more per day shall include snow and ice removal facilities. These requirements serve to minimize quality of life impacts freight facilities have on residents (of Policy 2.4).

Additional requirements included in the proposal ensure freight facilities are properly designed. Bicycle racks are required, located as close as possible to employee entrances, which supports mobility and job access (of Policy 2.3). A minimum of 10% of passenger vehicle parking spaces shall be electric vehicle (EV) ready, including spaces equipped with Level 2 Quick Charge stations, supporting the advancement of alternative-fueled vehicle technologies (of Policy 2.5). The provisions require that the applicant submit a Pennsylvania Natural Heritage Program study receipt to avoid, minimize or mitigate impacts to endangered, threatened and special concern species and their habitat (of Policy 3.1). An Environmental and Community Impact Analysis is also required to evaluate potential impacts on emergency services and fire protection, water supply, sewage and solid waste disposal, school facilities and school district budget and municipal revenues and expenses. Buildings are required to be solar-ready, designed and constructed buildings in a manner that facilitates and optimizes the installation of solar photovoltaic (PV) systems which supports renewable energy and diversification of sources (of Policy 3.4), and proposals are subject to review by the Township Fire Commissioner, which serves to enhance planning and emergency response efforts among emergency management personnel (of Policy 5.1).

The LVPC applauds the Township’s proposed regulations, which are exemplary in mitigating impacts of freight-based land uses and demonstrate best practices in managing land use and development (of Policies 1.4 and 2.4). This approach enables the Township to ensure freight facility proposals, which can have a tremendous impact on traffic conditions and residents’ quality of life, are located and designed appropriately to cause the least impact on the community (of Policy 2.4).

Traffic and Transportation

The proposal includes several overlay zoning districts that apply to major transportation corridors within the Township. These overlays are intended to ensure safe and efficient pedestrian and vehicular travel and support ensuring the efficiency of transportation infrastructure (of Policy 1.1 and 2.6). The proposal serves to improve mobility and job access by increasing pedestrian safety (of Policy 5.1) and forming connections between mass transit, pedestrian infrastructure and nearby trails (of Policy 2.3).

The LVPC commends the requirement that a traffic impact study be submitted for development proposals meeting specified criteria (ordinance page 222). The LVPC recommends the Township also include criteria for a land development generating 100 or more vehicle trips in a peak hour, to align with Pennsylvania Department of Transportation (PennDOT) criteria for traffic impact studies.

Environmental Preservation

Article V of the proposed ordinance contains provisions for environmental preservation, including considerations for steep slopes, wetlands, setbacks from waterways and tree preservation. These requirements support sustainable stewardship of natural lands, water resources and open space (of Policy 3.1) and discourage development in hazard-prone areas (of Policy 3.2).

The proposed regulations also include provisions for toxic, hazardous or explosive uses. The intent of the provisions is to provide a process for the Township to review proposed land uses to determine the threat of significant hazards to the public health and safety, which serves to 'promote safe and secure community design and emergency management' (Policy 5.1).

Riparian Buffer Overlay

The LVPC commends the creation of a riparian buffer overlay zoning district to protect sensitive lands surrounding the Schoeneck Creek, Bushkill Creek and Lehigh River. The LVPC also commends the addition of Bushkill Creek and Lehigh River in the updated ordinance. The overlay promotes an interconnected ecology of open spaces that 'conserves natural lands and water resources' (Policy 3.1) and minimizes environmental impacts of development (Policy 3.2). The specific regulations for the Riparian Buffer Overlay District align with the LVPC Riparian and Wetlands Buffer Guide/Model Regulation.

Alternative and Renewable Energy

The proposed ordinance provides regulations for both small and utility-scale solar energy systems. The LVPC commends the inclusion of alternative and renewable energy regulations in the zoning ordinance to promote and embrace the rapidly evolving market towards sustainable energy sources. In the proposed Ordinance, small solar energy systems are permitted as an accessory use in all zoning districts, and Utility-Scale Solar Energy Systems are permitted as a conditional use in the Rural Agricultural District and special exception in the Light Industrial/Mixed Use and North End Business districts. The Ordinance provisions 'support renewable energy and diversification of sources' (of Policy 3.4) while minimizing any impacts development may have on residents (of Policy 3.2).

Inclusive Language

Municipalities across the United States are revising their ordinances and codes to eliminate outdated, especially gendered, language to be more inclusive, more reflective of diverse populations working for and with governmental entities, and more accessible to the public. While the proposed Ordinance states that use of the masculine gender shall apply universally (Section 190-201. E.), neutralizing language is a best practice that makes government documents more accessible to the public and demonstrates evolution and adaptability of government (of Policies 1.1 and 1.4).

Language of the proposed Ordinance could be made more inclusive by replacing masculine, feminine or any gender-specific pronouns with "they" or "their" to better refer to unknown or unspecified persons. The following sections of the proposed ordinance contain gender-specific language in reference to the Zoning Officer, applicants and landowners:

- Section 190-114. B. If the Zoning Officer shall find a violation, **he** shall initiate enforcement proceedings...
- Section 190-202. Riparian Buffer Definitions. Applicant - A landowner or developer who has filed an application for subdivision or land development or for any zoning or building permit that will result in land disturbance, including **his** heirs, ... a lessee if **he** is authorized under the lease to exercise the rights of the landowner...
- Section 190-202. Zoning Officers - The administrative officers charged with the duty of enforcing the provisions of the Zoning Ordinance or **his or her** officially designated assistant(s).
- 190-506. F. 11. a. iv. Be served upon the property owner or **his** agent, ...

- 190-902. B. 5. ... within sixty (60) days of the date that the applicant filed his application for conditional use with the Township.
- 190-902. B. 6. The decision of the Board of Supervisors shall be in writing and shall be mailed to the applicant by ordinary mail at his or her last known address not later than forty-five (45) days following the decision.
- 190-972. Q. 2. ... and shall notify the property owner of his or her right to appeal such determination.
- 190-973. F. 2. ... and shall notify the property owner of his or her right to appeal such determination.
- 190-980. C. 5. g. ii. ... that are agreed upon by the developer, his traffic engineer, and the Township Engineer as having bearing on the development's likely impact.
- 190-985. J. 2. ... and shall notify the property owner of his or her right to appeal...

The Township's proposed Zoning Ordinance revision aligns with *FutureLV: The Regional Plan* because its application of modern land development regulation practices exemplifies "evolution and adaptability of government" (of Policy 1.4) and substantially advances several *FutureLV* goals and policies related to natural resource conservation, transportation management, strategic development and high-quality community design.

Municipalities, when considering ordinance and map amendments, should reasonably attempt to be consistent with *FutureLV: The Regional Plan*, as required by the Pennsylvania Municipalities Planning Code (MPC) [Article 1§105, Article III§303, §304 & §306(a), Article VI§603(j)]. Please send a copy of any final amendments that are adopted, per the requirements of the MPC.

If you have any questions regarding the content of this letter, please do not hesitate to call.

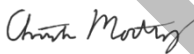
Sincerely,



Jillian Seitz
Senior Community Planner



Susan Rockwell
Senior Environmental Planner



Christian Martinez
Environmental Planner



Brian Hite
Transportation Planner

cc: Kent Baird, Director of Planning



STEVEN GLICKMAN
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KEVIN SCHMIDT
Treasurer

BECKY A. BRADLEY, AICP
Executive Director

December XX, 2023

Mr. John J. Finnigan, Manager
Hanover Township
3630 Jacksonville Road
Bethlehem, PA 18017

**Re: Zoning Ordinance Amendment – Developments of Regional Significance
Hanover Township
Northampton County**

Dear Mr. Finnigan:

The Lehigh Valley Planning Commission (LVPC) will consider the subject application at its Comprehensive Planning Committee and Full Commission meetings, pursuant to the requirements of the Pennsylvania Municipalities Planning Code (MPC). Discussion on agenda items largely happens during the Committee meeting. Both meetings are virtual, and we encourage your participation. The LVPC will issue a follow-up letter after the Commission meeting if Commission members have any additional comments. Meeting participation details are below:

- LVPC Comprehensive Planning Committee Meeting
 - December 19, 2023 at 12:00 PM
 - <https://lvpc.org/meetings.html>
- LVPC Full Commission Meeting
 - December 21, 2023 at 11:00 AM
 - <https://lvpc.org/meetings.html>

The subject application proposes amendments to add definition for "developments of regional significance" and amends plan requirements relating to the Nazareth Area Council of Governments (NazCOG). Amending municipal ordinances to include a process for review and approval and land uses of regional significance is a key implementation step identified in the recently adopted *Nazareth Area Multi-Municipal Comprehensive Plan*. The LVPC commends the Township for updating its ordinances, which demonstrates 'evolution and adaptability of government' (*FutureLV: The Regional Plan Policy 1.1*) and offers the following additional comments for consideration:

The proposed amendments to Chapter 159 *Subdivision and Land Development*; Article V *Plan Requirements*; §159-29 *Preliminary Plan*; Subsection E *Other required supporting documents*, helps 'encourage an efficient development process that is responsive to regional needs' (*FutureLV: The Regional Plan Policy 1.4*). Coordination

between municipalities, especially with Developments of Regional Significance, is a worthwhile endeavor that promotes cooperation and will help ‘minimize impacts of Land Uses of Regional Significance’ (of *FutureLV: The Regional Plan* Policy 1.4).

The LVPC recommends altering the definition of Development of Regional Significance to “Any Land Development that, because of its character, magnitude or location will have substantial effect upon the health, safety or welfare of citizens in one or more of the NazCOG Municipalities.”

Municipalities, when considering ordinance amendments, should reasonably attempt to be consistent with *FutureLV: The Regional Plan*, as required by the Pennsylvania Municipalities Planning Code (MPC) [Article 1§105, Article III§303, §304 & §306(a), Article VI§603(j)]. Please send a copy of any final amendments that are adopted, per the requirements of the MPC.

The LVPC has copied appropriate representatives from the Nazareth Area Multi-Municipal Plan to further expand collaboration on planning and development between neighboring communities (of Policy 4.6). If you have any questions regarding the content of this letter, please do not hesitate to call.

Sincerely,



Joseph Dotta
Regional Planner

cc: James L. Broughal, Bethlehem Township Solicitor; Yvonne Kutz, Hanover Township Zoning Administrator; Bradford T. Flynn, Bath Borough Manager; Kenneth Shiffert, Zoning Officer, Bushkill Township; John Defassio, Chapman Borough Secretary/Treasurer; Lori Stauffer, Lower Nazareth Township Manager; John Becker, Moore Township Planning Commission Chair; Barbara Fischl, Nazareth Borough Planning Commission; Sean Dooley, Stockertown Borough Planning Commission Chair; Robert Hayes, Tatamy Borough Council Chair; Lisa Klem, Upper Nazareth Township Manager



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Executive Director

December 6, 2023

Lisa A. Young, Esquire, Solicitor
Slatington Borough
125 South Walnut Street
Slatington, PA 18080

**RE: Zoning Ordinance Amendment – Tobacco Stores and Vape Shops
Borough of Slatington
Lehigh County**

Dear Ms. Young:

The Lehigh Valley Planning Commission (LVPC) will consider the subject application at its Comprehensive Planning Committee and Full Commission meetings, pursuant to the requirements of the Pennsylvania Municipalities Planning Code (MPC). Discussion on agenda items largely happens during the Committee meeting. Both meetings are virtual, and we encourage your participation. The LVPC will issue a follow-up letter after the Commission meeting if Commission members have any additional comments. Meeting participation details are below:


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The subject application proposes to amend the Borough of Slatington Zoning Ordinance by adding regulations pertaining to Tobacco Store/Smoke Shop/Vape Shop uses. The proposal adds Tobacco Store/Smoke Shop/Vape Shop as a permitted use in the Industrial Zoning District, defines the use and limits the location of the use to no closer than 1,500 feet to any school, church, library, public park, medical or healthcare building, childcare facility, residential district, or another Tobacco Store/Smoke Shop/Vape Shop. This proposal aligns with the intent of *FutureLV: The Regional Plan* to minimize interaction between conflicting land uses (of Policy 1.1) and promote healthy communities (of Policy 5.3).

Municipalities, when considering ordinance amendments, should reasonably attempt to be consistent with *FutureLV: The Regional Plan*, as required by the Pennsylvania Municipalities Planning Code (MPC) [Article 1§105, Article III§303, §304 & §306(a), Article VI§603(j)]. Please send a copy of any final amendments that are adopted, per the requirements of the MPC.

The LVPC has copied appropriate representatives from the Northern Lehigh Multi-Municipal Plan to further expand collaboration on planning and development between neighboring communities (of Policy 4.6). If you have any questions regarding the content of this letter, please do not hesitate to call.

Sincerely,

A handwritten signature in black ink, appearing to read "Jillian Seitz".

Jillian Seitz
Senior Community Planner

CC: Dan Stevens, Slatington Borough Manager; Tammy White, Lynn Township Supervisor; Janice Meyers, Heidelberg Township Administrator; Jill Seymour, Lowhill Township Secretary; Brian Carl, Weisenberg Township Manager; Wade Marlatt, Washington Township Manager



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BECKY A. BRADLEY, AICP
Executive Director

December 6, 2023

Jill Garcia, Manager
Wilson Borough
2040 Hay Terrace
Easton, PA 18042

**RE: Zoning Ordinance Amendment – Fees
Borough of Wilson
Northampton County**

Dear Ms. Garcia:

The Lehigh Valley Planning Commission (LVPC) will consider the subject application at its Comprehensive Planning Committee and Full Commission meetings, pursuant to the requirements of the Pennsylvania Municipalities Planning Code (MPC). Discussion on agenda items largely happens during the Committee meeting. Both meetings are virtual, and we encourage your participation. The LVPC will issue a follow-up letter after the Commission meeting if Commission members have any additional comments. Meeting participation details are below:

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The subject application proposes to amend the Borough of Wilson Zoning Ordinance pertaining to filing fees for zoning permits and applications. While this proposal is not a matter of regional concern, the LVPC commends the proposed amendment for supporting the fiscal health and sustainability of the Borough (of Policy 4.6).

Municipalities, when considering ordinance amendments, should reasonably attempt to be consistent with *FutureLV: The Regional Plan*, as required by the Pennsylvania Municipalities Planning Code (MPC) [Article 1§105, Article III§303, §304 & §306(a), Article VI§603(j)]. Please send a copy of any final amendments that are adopted, per the requirements of the MPC. If you have any questions regarding the content of this letter, please do not hesitate to call.

Sincerely,

Jillian Seitz
Senior Community Planner

CC: Stanley J. Margle, III, Wilson Borough Solicitor



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KEVIN SCHMIDT
Treasurer

BECKY A. BRADLEY, AICP
Executive Director

December 6, 2023

Gary Asteak, Solicitor
Bushkill Township
1114 Bushkill Center Road
Nazareth, PA 18064

**RE: Zoning Ordinance Amendment – Cluster Development
Bushkill Township
Northampton County**

Dear Mr. Asteak:

The Lehigh Valley Planning Commission (LVPC) will consider the subject application at its Comprehensive Planning Committee and Full Commission meetings, pursuant to the requirements of the Pennsylvania Municipalities Planning Code (MPC). Discussion on agenda items largely happens during the Committee meeting. Both meetings are virtual, and we encourage your participation. The LVPC will issue a follow-up letter after the Commission meeting if Commission members have any additional comments. Meeting participation details are below:

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The application proposes to amend the Bushkill Township Zoning Ordinance by removing Single Family Cluster Development as a permitted conditional use in the Rural Residential District. Single Family Cluster Development remains permitted within the Rural Conservation District. The proposal also amends the definition of sewage disposal system, requires that all Single Family Cluster Developments be served by on-lot sewage service, and amends provisions for common open space related to Single Family Cluster Developments.

While this proposal aligns with the intent of *FutureLV: The Regional Plan* to guide the location and intensity of development (of Policy 1.1), the LVPC encourages the Township to consider opportunities to permit Single Family Cluster Developments as a special exception or conditional use in the Rural Residential District. The Rural Residential District makes up the majority of land in the Township, and Cluster Developments help promote sustainable stewardship of natural lands, water resources and open space (of Policy 3.1). Allowing Single Family Cluster Developments as a

special exception or conditional use allows consideration of projects on a case-by-case basis to ensure they are in the interest of public health, safety and welfare (of Policy 1.1).

Municipalities, when considering ordinance amendments, should reasonably attempt to be consistent with *FutureLV: The Regional Plan*, as required by the Pennsylvania Municipalities Planning Code (MPC) [Article 1§105, Article III§303, §304 & §306(a), Article VI§603(j)]. Please send a copy of any final amendments that are adopted, per the requirements of the MPC.

The LVPC has copied appropriate representatives from the Nazareth Area Multi-Municipal Plan to further expand collaboration on planning and development between neighboring communities (of Policy 4.6). If you have any questions regarding the content of this letter, please do not hesitate to call.

Sincerely,



Jillian Seitz
Senior Community Planner

CC: Belinda Roberts, Bushkill Township Manager; Bradford T. Flynn, Bath Borough Manager; John Defassio, Chapman Borough Secretary/Treasurer; John J. Finnigan, Hanover Township Manager; Lori Stauffer, Lower Nazareth Township Manager; John Becker, Moore Township Planning Commission Chair; Barbara Fischl, Nazareth Borough Planning Commission; Sean Dooley, Stockertown Borough Planning Commission Chair; Robert Hayes, Tatamy Borough Council Chair; Lisa Klem, Upper Nazareth Township Manager



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December XX, 2023

Donna Asure, Township Manager
Forks Township
1606 Sullivan Trail
Easton, PA 18040

**RE: Zoning Ordinance Amendment – Recreation Fees
Forks Township
Northampton County**

Dear Ms. Asure:

The Lehigh Valley Planning Commission (LVPC) will consider the subject application at its Comprehensive Planning Committee and Full Commission meetings, pursuant to the requirements of the Pennsylvania Municipalities Planning Code (MPC). Discussion on agenda items largely happens during the Committee meeting. Both meetings are virtual, and we encourage your participation. The LVPC will issue a follow-up letter after the Commission meeting if Commission members have any additional comments. Meeting participation details are below:

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The subject application proposes amendments to the Township Zoning Ordinance pertaining to review fees. The LVPC commends the Township for updating its ordinances, which demonstrates ‘evolution and adaptability of government’ (*FutureLV: The Regional Plan* Policy 1.1) and offers the following additional comments for consideration:

The proposed replacements in Chapter 175 *Subdivision and Land Development*; Article X *Design Standards*; §175-42 *Design Standards Applicable to All Development*; Subsection O *Recreation Lands or Recreation Fees in Lieu Thereof*; Subsection (2)(b) and (2)(c) adds detail and specifies the time and use of recreation fees, serving to both ‘preserve natural resources in the land development process’ (of Policy 3.1) and promote the fiscal health and sustainability of the Township (of Policy 4.6).

Municipalities, when considering ordinance amendments, should reasonably attempt to be consistent with *FutureLV: The Regional Plan*, as required by the Pennsylvania

Municipalities Planning Code (MPC) [Article 1§105, Article III§303, §304 & §306(a), Article VI§603(j)]. Please send a copy of any final amendments that are adopted, per the requirements of the MPC.

If you have any questions regarding this review, please do not hesitate to call.

Sincerely,

A handwritten signature in black ink that reads "Joseph Dotta". The signature is written in a cursive style with a horizontal line extending from the end of the name.

Joseph Dotta
Regional Planner

CC: Lisa Pereira, Township Solicitor; Heather Horvath, Administrative Assistant



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KEVIN SCHMIDT
Treasurer

BECKY A. BRADLEY, AICP
Executive Director

December XX, 2023

Mr. Ronald Karasek, Solicitor
Upper Mount Bethel Township
387 Ye Olde Highway
Mount Bethel, PA 18343

RE: Subdivision and Land Development Ordinance Amendment – Inapplicable Provisions and Miscellaneous Zoning Ordinance Amendment – Inapplicable Provisions and Miscellaneous Bushkill Township Northampton County

Dear Mr. Karasek:

The Lehigh Valley Planning Commission (LVPC) considered the subject application at its Comprehensive Planning Committee and Full Commission meetings, pursuant to the requirements of the Pennsylvania Municipalities Planning Code (MPC). Both meetings are virtual, occurred on:

- LVPC Comprehensive Planning Committee Meeting
 - December 19, 2023 at 12:00 PM
 - <https://lvpc.org/meetings.html>
- LVPC Full Commission Meeting
 - December 21, 2023 at 11:00 AM
 - <https://lvpc.org/meetings.html>

The subject application proposes amendments to the Township Subdivision and Land Development Ordinance (SALDO) and Zoning Ordinance through the process of codification, where legislation is consolidated and organized into a single uniform format. Amendments to the Township SALDO and Zoning Ordinance are reviewed separately below:

Subdivision and Land Development Ordinance Amendments

Inapplicable Provisions

Among several minor amendments, the proposed amendments include a section containing provisions of the Township’s SALDO that ‘shall not be applicable to the development of planned industrial parks in the Township’s I-2 and I-3 Industrial Zoning Districts’. This section does not align with the intent of *FutureLV: The Regional Plan* to ‘encourage an efficient development process that is responsive to regional needs’ (of Policy 1.4). While the industrial zoning districts are intended for development, aspects of design criteria can still be applied to maximize development proposals in the interest of the Township’s goals and the public health, safety and welfare while meeting developer needs. In particular, the LVPC advises against exempting

proposals from the required preservation of certain environmental features (SALDO Section 298-20G) because the I-2 and I-3 zoning districts are located adjacent to the Delaware River, in an area containing highly sensitive environmental features (of Policies 1.1 and 3.1).

The proposal references a requirement of the Township's SALDO that the developer construct the off-site improvements identified by the required traffic impact study (SALDO Section 298-18B(3)). The LVPC concurs that this requirement does not align with the Pennsylvania Municipalities Planning Code (MPC Section 503-A(b)). This requirement should be amended in Township's SALDO rather than identified as an inapplicable provision pertaining to planned industrial parks in the I-2 and I-3 Zoning Districts (of Policy 1.4).

Sub-bullets D and E of the proposed section include references to the "DEP", acronym for the Pennsylvania Department of Environmental Protection, and the "USACOE", acronym for the US Army Corps of Engineers. These entities should be spelled out within the ordinance for clarification and to improve its usability.

Interim Policy for Location of Water and Sewer Services

The proposal revises Appendix B of the Township SALDO by amending a reference to Section 350-34C of the Township's Zoning Code. Introductory language to Appendix B states "The Lehigh Valley Planning Commission staff has informed the Township that this Township interim policy is in agreement with the LVPC's regional goals for the Township". This language and the referenced interim policy in Appendix B were originally included in the Township's SALDO dated September 2001. *FutureLV: The Regional Plan* was adopted by Northampton County in November 2019, and therefore this statement is not in alignment with the timeframe of the current regional plan. The interim policy contained within Appendix B should be reviewed and updated by the Township with consideration given to the status of the Township's Act 537 Plan, and submitted to LVPC for review and determination if the policy is in agreement with regional goals and ensure environmentally responsible sewer and water facilities (of Policy 3.2).

Section B.1 a. of the policy references the existing public water and sewer facilities of municipalities adjacent to the Township and discusses the potential for extension to serve proposed developments in the Township. This section should be reviewed against current land use and development goals of *FutureLV: The Regional Plan* and reference current public water and sewer facility capacities to extend service to the Township.

Section B.1 b. of the policy refers to designated growth areas within the Township. At the time of this review, the LVPC was unable to identify the "Statement of Community Development Objectives which is shown on the Zoning Map", as referenced in the policy. This reference and section should be amended to cite a specific map and date that identifies the stated "Growth Area".

Overall, it appears the intent of the Interim Policy for Location of Various Types of Water and Sewer Services at the time it was incorporated into the 2001 Township SALDO was to be temporary, and it is crucial the Township reevaluate Appendix B as well as water and sewer service needs throughout the Township in order to appropriately "match development intensity with sustainable infrastructure capacity" (of Policy 1.1).

Zoning Ordinance Amendments

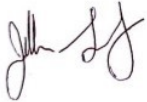
Similar to comments above, the proposed amendments include a section containing provisions that 'shall not be applicable to the development of planned industrial parks in the Township's I-2 and I-3 Industrial Zoning Districts'. The LVPC strongly advises against exempting planned industrial developments from ordinance requirements to ensure that proposals meet the goals and needs of the community, support the fiscal health and sustainability of the Township and

minimize environmental impacts while providing flexible development opportunities for applicants (of Policies 1.4, 3.2 and 4.6). References to the “DEP” and “USACE”, acronyms for the Pennsylvania Department of Environmental Protection and the US Army Corps of Engineers, should be fully spelled out within the ordinance to maximize clarity for users.

Municipalities, when considering ordinance amendments, should reasonably attempt to be consistent with *FutureLV: The Regional Plan*, as required by the Pennsylvania Municipalities Planning Code (MPC) [Article 1§105, Article III§303, §304 & §306(a), Article VI§603(j)]. Please send a copy of any final amendments that are adopted, per the requirements of the MPC.

The LVPC has copied representatives of the Slate Belt Multi-Municipal Comprehensive Plan to further ‘coordinate land use decisions across municipal boundaries’ (Policy 1.4). If you have any questions regarding the content of this letter, please do not hesitate to call.

Sincerely,



Jillian Seitz
Senior Community Planner



Susan Myerov, AICP
Director of Environmental Planning



Sue Rockwell
Senior Environmental Planner



Steve Neratko
Chief Planner

cc: Mary Ellen DeFranco, Bangor Borough Mayor; Bonnie Due, East Bangor Borough Secretary; Jennifer Smethers, Lower Mount Bethel Township Manager; Robin Zmoda, Pen Argyl Borough Manager; Jeff Bartlett, Manager, Plainfield Township; Stephanie Steele, Portland Borough Council President; Kay Bucci, Portland Borough Council Vice President; Heather Fisher, Portland Borough Mayor; Cathy Martino, Roseto Borough Manager; Katie Purdue, Washington Township Secretary; Charles Dertinger, Washington Township Planning Commission Chair; Louise Firestone, Wind Gap Borough Manager