



Lehigh Valley Planning Commission

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LEHIGH VALLEY PLANNING COMMISSION

Minutes from the Tuesday, April 30, 2019 General Assembly Meeting

The Lehigh Valley Planning Commission met for its Municipal General Assembly Meeting on, April 30, 2019 at 7:00 pm at Penn State Lehigh Valley located at 2809 Saucon Valley Road, Center Valley, PA.

Municipalities in Attendance:

Lehigh County

Alburtis Borough, City of Allentown, Coopersburg Borough, Coplay Borough, Emmaus Borough, Fountain Hill Borough, Heidelberg Township, Lower Macungie Township, Lower Milford Township, Macungie Borough, North Whitehall Township, Salisbury Township, Slatington Borough, Upper Macungie Township, Upper Saucon Township, Weisenberg Township, and Whitehall Township

Northampton County

Bangor Borough, City of Bethlehem, Bethlehem Township, Bushkill Township, Chapman Borough, East Bangor Borough, City of Easton, Forks Township, Freemansburg Borough, Hanover Township, Hellertown Borough, Lehigh Township, Lower Mount Bethel Township, Lower Nazareth Township, Moore Township, North Catasauqua Borough, Palmer Township, Pen Argyl Borough, Plainfield Township, Portland Borough, Roseto Borough, Tatamy Borough, Upper Nazareth Township, West Easton Borough, and Wind Gap Borough

Municipalities Absent:

Lehigh County

Catasauqua Borough, Hanover Township, Lowhill Township, Lynn Township, South Whitehall Township, Upper Milford Township, and Washington Township

Northampton County

Allen Township, Bath Borough, East Allen Township, Glendon Borough, Lower Saucon Township, Nazareth Township, Northampton Borough, Stockertown Borough, Upper Mount Bethel Township, Walnutport Borough, Washington Township, Williams Township, and Wilson Borough

Staff Present: Becky Bradley, Bethany Vazquez, Geoff Reese, Matt Assad, Peter Barnard, Charles Doyle, and Tracy Oscavich

Public Present: Joe Divis, Lamont McClure, Phillips Armstrong, Megan Briggs, and Matthew Dietz

Local Government Planning

1. *Small Cell Technology*

Mr. Divis, Assistant Vice President of AT+T, presented information on small cell technology. With the increase in data traffic, Mr. Divis reviewed ways that companies try to increase wireless network capacity. Small cells are flexible, targeted network solutions that cover a radius up to 1200+ feet and can be readily deployed to specific locations. These cells allow for better provision of LTE experiences while also allowing companies to prepare for the technologies of the future such as 5G, smart cities, and new developments in the Internet of Things. Mr. Divis reviewed pictures of small cells and their positional flexibility. According to Mr. Divis, small cells help to lay the foundation that is needed for 5G by bolstering network capacity, more efficiently using spectrum and expanding access to faster mobile internet speeds. Mr. Divis stated that he and his team, along with the LVPC, are going to be working with communities to help create a model ordinance to inform municipal officials and help represent the interests of parties involved.

Ms. Bradley thanked Mr. Divis for his insight and asked for questions from the audience. The questions were as followed and answered by Mr. Divis:

- What is the range of small cells? – About 1,200 feet...the higher the cell is the more of a range it will have.
- Are there dangers associated with small cell technology? – No, we operate under the Federal Communications Commission standard which regulate power and often our system operates way below that standard.
- What is the rate structure of leasing space on a publically owned standard? – The Federal Communications Commission established an order in September 2018 that just came into effect January 2019. This order states that the attachment rate for public infrastructure in the right of way is \$270 per year per unit.
- When a company comes into a community to install these small cells, who is paying for the electricity? Is the company or the municipality taking on that expense? – The company pays for both the installation and the electricity usage, however it depends, the utility may not always allow for a separate meter to feed the small cells in which case the company will come in with a “standard fee” that more than covers the extra electricity usage if the cell is running on the same meter as an existing structure.

2. *Tiny Houses*

Mr. Barnard presented background on what tiny houses are and how they fit into the Pennsylvania Municipal Planning Code. There are two types of tiny houses, those on Recreational Vehicle Chassis and those on a foundation. Tiny House RVs are permitted like an RV and regulated by the United States Department of Transportation. These structures are built like a house but on a trailer and are made to be treated like temporary dwellings. Tiny Houses on Foundations are often permitted like an accessory dwelling unit. Regulation by the PA Uniform Construction Code is critical for tiny houses on foundations. These structures are built like a house, on a foundation, and are meant to be permanent. Mr. Barnard reviewed the potential uses for such structures as well and the challenges that come with tiny homes. Mr. Barnard shared additional resource tools: The Lancaster County Planning Tool #1, American Planning Association Zoning Practice Issue 11: Tiny Houses, American Planning Association’s Quick Notes: Making Space for Tiny Houses, and the LVPC Cottage House Guidance: Considerations for Living Small. The LVPC is preparing specific guidance for tiny houses and discussion will be a part of this work.

Ms. Bradley thanked Mr. Barnard for his presentation and invited Northampton County Councilman, Matthew Deitz, to come up and participate in a discussion panel and answer questions. The questions were as followed:

- Why should communities be interested in tiny houses? – Council Deitz responded: There is a need for affordable housing. The housing market is on a boom right now, unfortunately houses are in a shortage and people want to build their own but cannot afford it.
- How are tiny house communities different from mobile home parks? – Mr. Barnard responded: Tiny houses built on RV chassis are regulated by US DOT. Regular houses built on permanent foundations are regulated by PA Uniform Construction Code. Mobile homes are regulated by the US Department of Housing and Urban Development. HUD has stated that they do not regulate RVs or Tiny Houses, however, the way that mobile homes are set up happen to work really well for tiny house structures. Tiny houses have the same width regulations as single wide mobile homes. However since HUD does not regulate these structures there are no mortgages for them and thus make them very attractive for those who want to own a home without being in debt.
- How can the LVPC and Counties help support the communities has it relates to tiny houses?
 - Pen Argyl Borough: A big help would be in adapting current codes to include tiny houses and necessary regulations for these structures. Also, how we can zone for reuse of properties.
 - Tatamy Borough: What about properties that are trying to put a tiny home in their backyard? How do we avoid the costly change of zoning without allowing for other issues that could arise?
 - Tatamy Borough: Our community allows for apartments on properties but it is almost that you need to change your single dwelling zoning concept to now allow for multiple houses on a lot. On-lot septic will also be an issue for our community and how to prepare for that.
- If tiny homes go onto another's property, how does that work with taxes and emergency services when families now move into them and you have multiple separate families living on "one residence"? – Ms. Bradley responded: If you're a community with a proper maintenance code, normally the code requires the property to have a separate address. In terms of taxes, it is presumable that the County would come take an assessment of the structure and work accordingly.

US 2020 Census

Ms. Oscavich reviewed the information regarding the US 2020 Census. The purpose is to conduct a census of population and housing, and disseminate results to the President, the States, and the American People. The goal is to count everyone once and only once, and in the right place by maximizing outreach using both traditional and new media outlets. The 2020 Census is being conducted in a rapidly changing environment and requires a flexible design that takes advantages of new technologies and data sources while minimizing risk to ensure a high quality population count. Ms. Oscavich reviewed the 2020 Census Timeline with the group and stated that PA funding is derived from the Census data.

Ms. Bradley thanked Ms. Oscavich for her presentation and transitioned to a panel with Executive Lamont McClure, Northampton County, and Executive Phillips Armstrong, Lehigh County, to discuss the current County efforts as they relate to the 2020 Census. The questions were as followed:

- Northampton County has taken a leadership role as far as Census preparation, would you be willing to share some of the things that Northampton County has lined up? – Executive

McClure responded: We need to make sure that all our citizens get counted, on May 22nd at the Northampton County Human Resources Building, at 8:30 am, the County will be holding the first meeting of their Complete Count Committee. All elected officials and municipal professionals in Northampton County are encouraged to come and participate as we begin to develop the sub-committees to engage in the necessary community outreach efforts.

- How can people get involved in the Census effort in Lehigh County? – Executive Armstrong responded: On June 18th, at the Lehigh County COG, the census complete count committee for Lehigh County will launch. Besides just working with the municipalities, Lehigh County will also be working with the School Districts to educate students and promote Census participation.
- The Census affects various sources of funding, would you like to affect other things that the Census data affects?
 - Executive McClure responded: You can see where the low responses rates are on the map. Whether in your direct area or not, it affects all of us and how we get funding for transportation efforts. As community leaders we can use our public positions to demonstrate the importance of the Census and participating in this data gathering. We also need to make a very big point to all those involved, especially those who distrust the government, regarding the Census Confidentiality and Privacy Law. This is for everyone, including the Census staff, no one's information will be shared. This is a message that really needs to be communicated.
 - Executive Armstrong responded: Transportation funding is hugely impacted by Census data, we cannot do as much as we would like if we do not have an accurate count.

Ms. Bradley thanks the Executives for their input and asked for audience questions. The questions were as followed:

- There is obviously expenses associated with mailing and Census outreach, can the municipalities expect the Counties to budget for Census costs next year to help with different items that the communities will need to get in order to have an accurate count? – Executive McClure responded: The Census Bureau handles most of the outreach, however, budgets are being formed to work with organizations that are a part of the Complete Count Committees.
- The presumptive stance is that we are not counting non-legal residents, how does that affect what is happening here? – Executive McClure responded: There is a case in the US Supreme Court regarding the Census having a question directly questioning citizenship, but it has been discussed that non-citizen will still be counted.
- With that citizenship questions, we have to assume that that will deter non-citizens from being willing to participate in the Census. And then the question comes as to what kind of funding we are expect to lose from this lack of response? – Executive McClure responded: That could absolutely be a deterrent, which is why it is important to communicate the privacy laws that protect the Census data. It's our job to make as many people as we can feel safe about responding to the Census.
 - Beyond the desire to be counted, there may not be as much of a pushback as there is to answer those very personal ten questions. We really need to look at educating people beyond the privacy, but the on the value of the provided information. It is more than just a headcount.

LVPC Municipal Officials Guide

Mr. Assad stated that the LVPC Municipal Officials Guide is now available on the LVPC website at: <https://www.lvpc.org/municipal-profiles.html>.

Hazard Mitigation Plan

Mr. Reese thanked the municipalities for their efforts in getting the Hazard Mitigation Plan fully adopted.

Walk/RollLV: Active Transportation Plan

Mr. Reese gave a brief background on the Walk/RollLV Plan. The goal is to change the transportation culture of the Lehigh Valley from primarily automobile travel to all modes of travel. The operating committee for this plan is the Multimodal Working Group, which is open to the public and will be holding their next meeting on May 22nd at America on Wheels. To launch the plan, the LVPC will be holding a Walk/RollLiVe Event in the City of Bethlehem to promote the plan on June 12th, more details are to come.

Training + Participation Opportunities

1. Local Technical Assistance Program

The next LTAP class is Traffic Sign Basics and will occur on May 21st at the Lehigh Valley Planning Commission from 8:00 am to 12:00 pm.

2. Planning + Pizzas

The next planning and pizza sessions will occur as followed:

- May 29th, BuildLV: Learn how new apartments and distribution centers are changing the regional landscape
- June 19th, PennDOT Connects Powered by Communities: This course will explain how Connects works and how it gives every community a voice in how transportation projects are done
- June 26th, 3rd Annual Local Government Appreciation Day: Come join us in celebration of Municipal Officials and LTAP participants as we celebrate all your work for the region

The May 29th and June 19th sessions will occur at the Lehigh Valley Planning Commission. The June 26th session will occur at Wayne A Grube Park. All sessions are from 12:00 pm to 2:00 pm.

3. Lehigh Valley Government Academy

The LVPC will be offering courses in Community Planning, Zoning and Subdivision/Land Development Review. Community Planning will occur September 11th, 18th, and 25th; Subdivision and Land Development Review will occur October 2nd, 10th, and 17th; and Zoning will occur November 4th, 18th, and 25th. The LVPC serves as the region's primary planning and development educator for appointed and elected officials. More than 200 people from the public, non-profit, and private sectors have graduated from at least one of the courses since 2014. Registration is now open.

4. 2019 LVPC Gala + Awards

The 3rd Annual LVPC Gala and Awards will be taking place at DeSales University on October 16th. Networking will begin at 4:00 pm and the Program/Dinner will begin at 5:00 pm.

Adjournment

Submitted by:
Bethany Vazquez, Program Associate