

Memo



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July 28, 2016

MINUTES

The Lehigh Valley Planning Commission met for their regularly scheduled meeting on Thursday, July 28, 2016 at 7:00 p.m. at the Lehigh Valley Planning Commission, 961 Marcon Boulevard, Suite 310, Allentown, PA.

Ms. Liesel Dreisbach chaired the meeting.

Members in attendance:

Lehigh County

Percy Dougherty
Steven Glickman
Armand Greco
Kent Herman
Edward Hozza
Christina Morgan
Steven Neratko
Stephen Repasch
Kevin Schmidt
Donna Wright

Northampton County

Gordon Campbell
Eugene Clater
John Diacogiannis
Liesel Dreisbach
George Gemmel
Tim Herrlinger
Kevin Lott
Thomas Nolan
Pamela Pearson
Hayden Phillips
Lynn Prior
Michael Reph

Members absent: Norman Blatt, Karen Duerholz, Richard Molchany, Brad Osborne, Sara Pandl, Kathy Rader, Julie Thomases, Christen Borso, Charles Elliott, Darlene Heller, Robert Lammi, Tina Roseberry and Adam Waldron

Staff present: Becky Bradley, Geoff Reese, George Kinney, Eric McAfee, Sue Rockwell, Tracy Oscavich, Tamara Mittman, John von Kerczek and Whitney Burdge

Public Present: Lou Gombocz, Jr., WFMZ

COURTESY OF THE FLOOR – None

MINUTES

After a brief review, the minutes of the June 30, 2016 meeting were moved for approval by Ms. Wright. Mr. Greco seconded the motion. The motion carried with Ms. Morgan and Mr. Reph abstaining.

CHAIRWOMAN'S REPORT

Ms. Dreisbach welcomed Mr. Herrlinger, who was appointed to represent John Brown at LVPC meetings. She introduced and welcomed new urban design planner, Whitney Burdge, to the LVPC staff.

COMMITTEE REPORTS***Comprehensive Planning Committee****Ordinance Reviews*

Ms. Wright said there are eight summary sheet items on page 5 of the agenda attachments. Ms. Wright made a motion to approve the comments. Mr. Dougherty seconded the motion. The motion carried unanimously.

Environment Committee*Reviews*

Mr. Repasch said there is one summary sheet item on page 6 of the agenda attachments. Mr. Repasch made a motion to approve the comments. Mr. Gemmel seconded the motion. The motion carried unanimously.

Transportation Committee*State (DCED) Multimodal Transportation Fund Awards*

Mr. Kinney said the program is administered through the state in two ways: through PennDOT and the Pennsylvania Department of Community and Economic Development. This current awards announcement is the Department of Community and Economic Development portion of the program. He said eight regional projects were awarded recently for a total of \$3.48 million. Mr. Kinney identified each project. Mr. Phillips asked what the Lafayette College award was for. Mr. Kinney said we didn't see the scope of the project since the College made direct application to the state. However, he could obtain that information for Mr. Phillips.

Congestion Management Process

Mr. Kinney provided a power point presentation. He said the Congestion Management Process is one of the significant evaluation tools we use in developing the Long Range Transportation Plan and Transportation Improvement Program. He said a copy of the draft document is at each Commission member's place. He said we worked with AECOM to run the regional travel demand model. Mr. Kinney said that congestion has economic, social and environmental impacts. He said congestion comes in two forms: recurring and non-recurring. He provided examples of both. The Congestion Management Process report is required for every Metropolitan Planning Organization with more than 200,000 people. The current draft is the first

update since 2008, which includes a number of new concepts. We worked with AECOM to review reports from other areas of the state, as well as nationally, and reviewed the Federal Highway Administration's guidance handbook.

Mr. Kinney said we started with identifying the current congestion situation. AECOM modeled 2017 corridors based on traffic volume, truck traffic, crashes, peak hour level of service, among other criteria. The modeling resulted in 45 corridors identified as congested in 2017. Many are within the urban boundary as shown on our General Land Use Map. We support capacity improvements for projects within this urban boundary.

Mr. Kinney said the next step was to identify what these corridors will look like in 2040. AECOM ran the model again using the same criteria used for the 2017 model run, but also added projected demographics for 2040 and Transportation Improvement Program projects scheduled to be completed by 2040. Forty-five corridors were identified, many within the urban boundary. He said we needed to reduce that number to about 15 to be more manageable. We worked with AECOM on what criteria to use to achieve that goal. Additional criteria added to the previous criteria used included goods movement, functional class of the corresponding corridor, proximity to the National Highway System and urban development areas. Fifteen corridors were identified, and the report includes a profile of each. The profile includes a summary of conditions and mitigation strategies. The report also includes a look at how we can mitigate congestion related to freight. AECOM located freight generators relative to the 15 corridors. They introduced a methodology that looks at freight movement and the burden created on each corridor. The results were used to inform the mitigation strategies. Ms. Dreisbach asked Mr. Kinney to define a freight generator. Mr. Kinney said it looks at land use and distribution facilities, the Traffic Analysis Zone the facility is located in and what is the easiest path of movement to a higher order road. They are mostly concentrated along Route 22. He briefly discussed some of the mitigation strategies for the 15 corridors. The report also discusses performance-based standards focused on maximizing existing infrastructure from an operational standpoint.

Ms. Bradley said we will be bringing the report back to next month's Commission meeting since we just received the report from AECOM, and it needs a number of corrections.

OLD BUSINESS - None

NEW BUSINESS

Planning + Pizza

Ms. Bradley said our next Planning and Pizza is titled *Stuck in Traffic: Congestion Management* and is scheduled for Friday, July 29th followed by *Lehigh County Parks + Agriculture* on Wednesday, August 24th.

Freight Advisory Committee Meeting

Ms. Bradley said the next meeting will be held on August 3 at the Lehigh Carbon Community College to accommodate more people. Several tractor trailers will be set up so people can see what the drivers see. The meeting is open to the public.

BuildLV: Annual Development Report

Ms. Bradley said we are partnering with Urban Land Institute again this year. Ms. Bradley and Mr. McAfee will present the annual report. Mr. Brian Knowles from Lee and Associates will provide a follow-up presentation. Mr. Knowles is a banker who finances warehouse development.

An expert panel is scheduled to discuss issues related to the report. A logistics company representative may also be added to the panel. Ms. Bradley said we expect about 200 people to attend the event at SteelStacks on September 7.

Lehigh Valley Government Academy

Ms. Bradley said the fall season will begin in September with the Community Planning course. The course will be held on September 7, 14 and 21.

Local Technical Assistance Program

Ms. Bradley said a number of classes are coming up in September. We partner with PennDOT on the courses, which are free.

Get Outdoors PA Festival

Ms. Bradley said we partner with Lehigh Valley Greenways on the festival. This year, we are also partnering with Senator Mario Scavello. LVPC staff will be attending the event, which will be held on September 24 at Jacobsburg Environmental Education Center.

Lower Milford Township 14th Annual Fall Festival

Ms. Bradley said LVPC staff will also be attending the Lower Milford Township 14th Annual Fall Festival on September 24 to discuss the Southwestern Lehigh County Multimunicipal Comprehensive Plan. She said we presented a first draft of goals, policies and actions to the municipal steering committee.

Lehigh Valley Awards + Gala

Ms. Bradley said that this year the event will not be just an awards and gala event, but also our 55th anniversary celebration. We will not have a keynote speaker this year and will focus more on the work we've accomplished and the Regional Comprehensive Plan update.

CORRESPONDENCE

Lehigh Valley Military Affairs Council

Ms. Bradley said that staff contributes to our jeans for a cause program on Fridays, and we received a thank you letter for the donation.

EXECUTIVE DIRECTOR'S REPORT

Pennsylvania Medical Marijuana Act

Ms. Bradley said the Pennsylvania Legislature passed the Medical Marijuana Act on April 17, which legalizes the growing, processing and dispensing of medical marijuana in the state. She said there are very strict regulations associated with the Act, and the land use-related aspects are outlined in a memo provided to each Commission member. There are many land use implications associated with passage of the Act. Ms. Bradley said she prepared a brief of the law as it relates to Pennsylvania land use, a list of resources related to land use and general advice for municipal governments to take into consideration. Every municipality in the state must make zoning accommodations for growing, processing and dispensing medical marijuana. She

said that tomorrow she will take this work, along with Diane Myers-Krug from the Tri-County Planning Commission, who wrote a draft model ordinance, to the County Planning Directors Association of Pennsylvania. Once they have signed off on this work, we will hold a training event for all municipal governments in the region.

Ms. Bradley highlighted some important components of the law. She said there are a very limited number of licenses for growers and processors. Initially, only 25 licenses will be given out statewide. Initially, only 50 licenses for dispensaries will be given out. A dispensary must have a full time, licensed, trained medical professional on staff during operation. There will be five licenses given out for a grower/processor and dispenser operation. The Lehigh Valley is the third largest region in the state. We will likely get one grower/processor and one dispenser.

Ms. Bradley said there are very significant security and tracking procedures written into the law. Dispensers can only get medical marijuana from a licensed grower/processor in the state. Everything has to be tracked and recorded and will be put up on the Pennsylvania Department of Health website. The Department of Health will be preparing more specific regulations over the next five months. Medical marijuana can only be used by terminally ill patients or by those with a serious medical condition. People who work in these facilities, as well as the drivers transporting the marijuana, have to have criminal background checks and fingerprinting cleared by the state and Federal Bureau of Investigation. Ms. Bradley said that the current interpretation of the law is that marijuana has to be grown under cover, not in an open field. This could change as the Department of Health begins program implementation. Priority for licenses will be given for facilities along transit routes in areas of highest population density. Out of state residents cannot purchase marijuana in Pennsylvania.

Ms. Bradley said the law preempts local zoning regulations. Growers/processors have to meet the same municipal zoning and land use regulations as a manufacturing facility. Dispensers have to meet the same regulations as other commercial facilities located in the same zoning district. She said medical marijuana cannot be smoked---it has to be in oil or cream form. It cannot be sold as an edible. It can be mixed in food or drink by a licensed medical caregiver if necessary. Ms. Bradley prepared some general considerations for municipalities to think about as provided in the memo, and she briefly reviewed some of them.

ADJOURN

Mr. Dougherty made a motion to adjourn the meeting. Mr. Nolan seconded the motion. Ms. Dreisbach adjourned the meeting.

Submitted by,

Susan Rockwell for
Becky Bradley, AICP
Executive Director