



CHRISTINA "TORI" MORGAN
Chair

ARMANDO MORITZ-CHAPELLIQUEN
Vice Chair

PHILLIPS ARMSTRONG
Treasurer

BECKY A. BRADLEY, AICP
Executive Director

COMPREHENSIVE PLANNING COMMITTEE MEETING
Tuesday, March 24, 2026, 12:00 noon
AGENDA

THE MEETING CAN BE ACCESSED AT <http://www.tinyurl.com/LVPC2026> OR VIA PHONE 610-477-5793 Conf ID: 947 550 319#

Roll Call

Courtesy of the Floor

1. New Staff Introductions
 - Steven Weber, AICP, Director of Transportation

Committee Business

1. *DISCUSSION/ACTION ITEM*: Election of Comprehensive Planning Committee Vice Chair (S. Melnick)
2. *PRESENTATION ITEM*: Federal Government Compliance with Local Regulations (JS, G. Asteak)
3. *ACTION ITEM*: Upper Macungie Township – Land Use of Regional Significance – Eli Lilly Manufacturing Facility (JS, SM, EG)
4. *ACTION ITEM*: Hanover Township (LC) – Land Use of Regional Significance – LVIA Parking Garage and Taxiway Rehab (EG, JS)
5. *ACTION ITEM*: Lowhill Township – Zoning Ordinance Amendment – Digital Infrastructure Facilities (MGC)
6. *ACTION ITEM*: Bushkill Township – Zoning Ordinance Amendment – Cryptocurrency Mining Facilities, Data Centers, Solar Energy Facilities, Membership Clubs (MGC)
7. *ACTION ITEM*: Washington Township (NC) - Zoning Ordinance Amendment – Data Centers (JS)
8. *ACTION ITEM*: Plainfield Township – Zoning Ordinance Amendment – Data Centers (MGC)
9. *ACTION ITEM*: Upper Macungie Township – Zoning Ordinance Amendment – Automated Storage and Retrieval Systems (MGC)
10. *ACTION ITEM*: Plainfield Township – Zoning Ordinance Amendment – Solar Power Generation (JW)
11. *ACTION ITEM*: Washington Township (NC) – Zoning Ordinance Amendment – Principal Solar Energy Systems (JW)
12. *ACTION ITEM*: Forks Township – Zoning Ordinance Amendment – Solar Farms (JW)
13. *ACTION ITEM*: Upper Saucon Township – Zoning Ordinance Amendment – Planned Residential Development (JW)
14. *INFORMATION ITEM*: Draft Housing Supply and Attainability Strategy (JS)

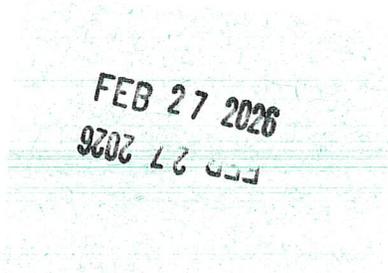
Next Comprehensive Planning Committee Meeting:

April 21, 2026, at 12:00 noon

ASTEAK LAW OFFICES

GARY NEIL ASTEAK
STEVEN R. MILLS

726 WALNUT STREET
EASTON, PENNSYLVANIA 18042
610-258-2901
FAX 610-258-0185



February 23, 2026

Lehigh Valley Planning Commission
615 Waterfront Drive, Suite 201
Allentown, PA 18102

ATTN: Becky A. Bradley,
Executive Director

RE: Federal Government Compliance with Local Regulations

Dear Becky:

This will serve to respond to your recent inquiry pertaining to whether the federal government is required to follow local Zoning Regulations, Subdivision and Land Development Regulations, or Building Code Regulations.

Federal and State Courts have consistently held that the Constitution provides that the laws of the United States, under which federal activities are undertaken, are “the supreme law of the land,” arising out of Article VI, Clause 2, the Supremacy Clause of the Constitution which provides that “this Constitution, and the laws of the United States which shall be made in pursuance thereof, and all treaties made, or which shall be made, under the authority of the United States, shall be the supreme law of the land, and the judges in every state shall be bound thereby, any thing in the Constitution or laws of any state to the contrary notwithstanding.” It is a “seminal principle” of law that the United States Constitution and the laws made pursuant to it are supreme.

A series of United States Supreme Court cases have held that the United States Constitution and the laws made pursuant to it are supreme. “It is the very essence of supremacy to remove all obstacles to its action within its own sphere, and so to modify every power vested in subordinate governments, as to exempt it from its own operations from their influence.” Sovereign immunity means that where “Congress does not affirmatively declare its instrumentalities or property subject to regulation, ‘the federal function must be left free’ of regulation.” *Hancock vs. Train*, 426 U.S. 167, *McCulloch vs. Maryland*, 4 Wheat. 316 (1819), and *Mayo vs. United States*, 319 U.S. 441.

The United States Code, 40 USC Section 619, provides as follows:

In carrying out its federal functions, neither the United States nor its agencies are subject to state or local regulations absent a clear statutory waiver to the contrary. This concept is based upon the Supremacy Clause of the United States Constitution which states, in part, that it, and the laws of the United States are the “supreme law of the land.”

The above principle has been applied to post offices, the National Park Service and other land management agencies, and more recently ICE private detention facilities in California (*United States of America and the GEO Group, Inc. vs. Gavin Newsom*).

Simply, the United States is not subject to state or local laws unless Congress has made explicit provision in legislation. Note that this legal principle applies whether the government actually owns the property or leases it for a federal use.

Preemption applies unless waived. Therefore, Zoning, SALDO, Building, and other County or Municipal Ordinances/Regulations are unenforceable.

The United States may be subject to state and local laws and penalties where federal law has waived its sovereign immunity, such waivers may be found in: Clean Water Act (33 USC 1323), Clean Air Act (42 USC 7418), Underground Storage Tank Act (42 USC 6991f), Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) (42 USC 9620), Safe Drinking Water Act (42 USC 300j-6(a)), and Resource Conservation and Recovery Act (RCRA) (42 USC 6961).

So if local municipalities may not regulate federal activities via Zoning, SALDO, or Building Code Regulations, are they rendered impotent in efforts to protect their citizens’ health, safety, and welfare? The answer to that question is a simple “no.” By using the very statutes and regulations promulgated thereunder regulating federal government activities as well as the federal laws wherein sovereign immunity has been waived, scrutiny of the activities and litigation to

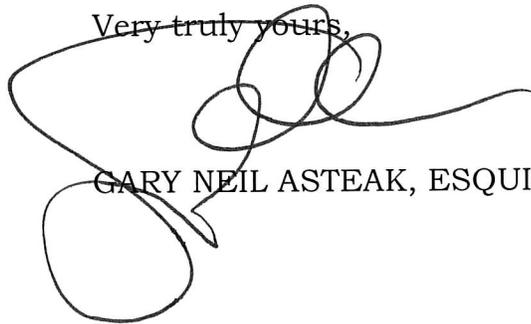
Lehigh Valley Planning Commission
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Page Three

enforce those statutes and regulations are available. Administrative Appeals and/or federal litigation are the path. The State may have more tools in its toolbox than municipalities but municipalities may seek, when necessary, the Commonwealth's authority to enforce federal legislation.

Remember, many of us Municipal Solicitors have had to deal with federal agencies, i.e. post offices, Social Security offices, etc. Most have been willing to work with us but at other times not, and ultimately we have been required to be creative in our approach to these issues.

Feel free to follow up if you wish.

Very truly yours,

A handwritten signature in black ink, appearing to read 'Gary Neil Astreak', written over the typed name below.

GARY NEIL ASTREAK, ESQUIRE

GNA:dym



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BECKY A. BRADLEY, AICP
Executive Director

March XX, 2026

Ms. Meredith Keller, Director of Community Development
Upper Macungie Township
8330 Schantz Road
Breinigsville, PA 18031

**Re: Eli Lilly Manufacturing Facility – Land Use of Regional Significance
Upper Macungie Township
Lehigh County**

Dear Ms. Keller,

The project proposes a manufacturing complex totaling 797,432 square feet on approximately 150 acres of land at 8810 Main Street, Fogelsville, PA 18051, north of Interstate 78 (parcel number 545630143828). The project site is currently used for agriculture. This project is considered a Land Use of Regional Significance (LURS) in the Major Industrial Park land use category of *FutureLV: The Regional Plan*.

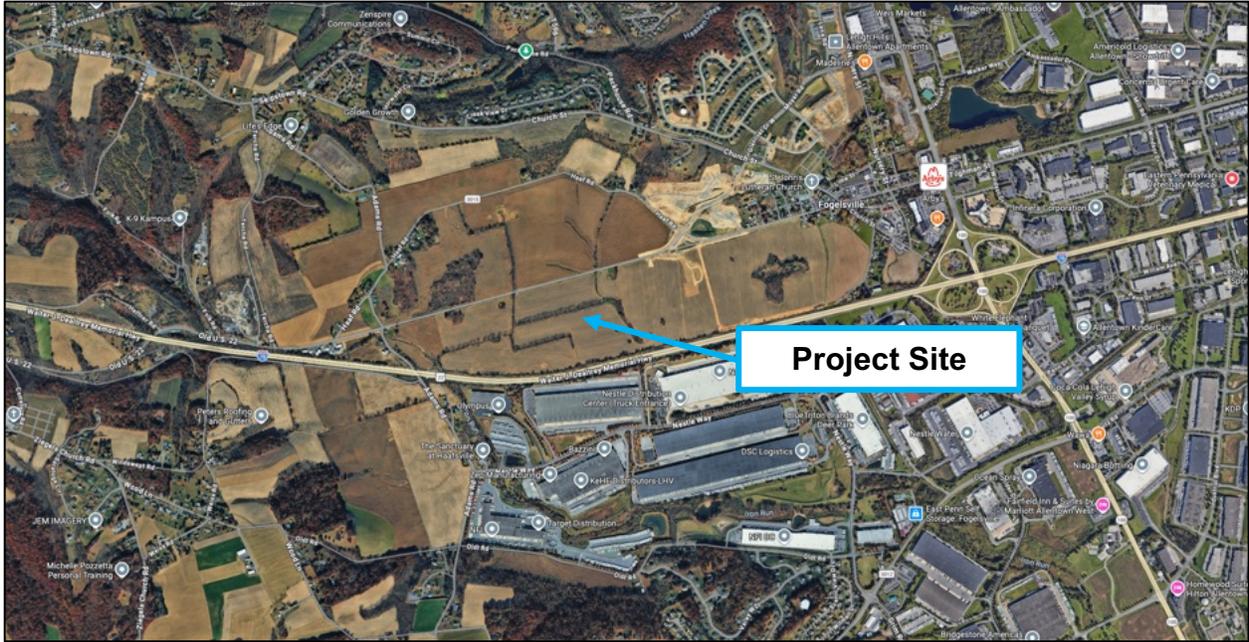
The Lehigh Valley Planning Commission (LVPC) will consider the subject application at its Comprehensive Planning Committee and Full Commission meetings, pursuant to the requirements of the Pennsylvania Municipalities Planning Code (MPC). Discussion on agenda items largely happens during the Committee meeting, and we welcome your participation. Meeting participation details are below:

<p>LVPC Comprehensive Planning Committee Meeting:</p> <p>March 24, 2026, at 12:00 PM (Virtual) https://lvpc.org/lvpc-meetings</p>	<p>LVPC Full Commission Meeting:</p> <p>March 26, 2026, at 7:00 PM (In-Person or Virtual) https://lvpc.org/lvpc-meetings</p>
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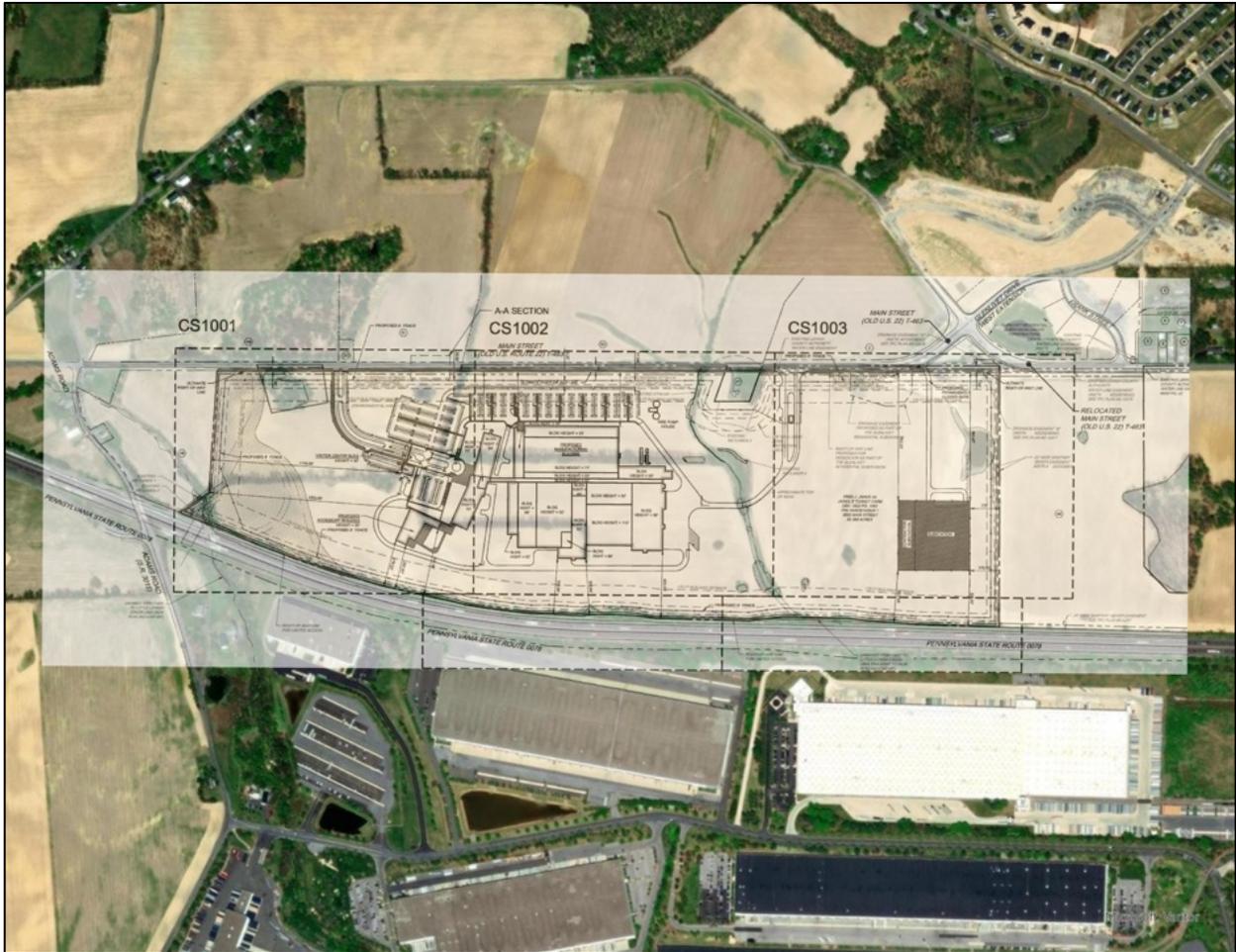
BACKGROUND

The project site is located just west of Fogelsville. South of the site across Interstate 78 is an existing industrial park, and agricultural lands are to the southwest, west and north.

Land uses of regional scale and impact must be coordinated with utility partners and agencies that have a regulatory role or vested interest in the public health, safety and welfare. For this reason, LVPC has coordinated with partner agencies as part of this review.



Google Aerial Imagery

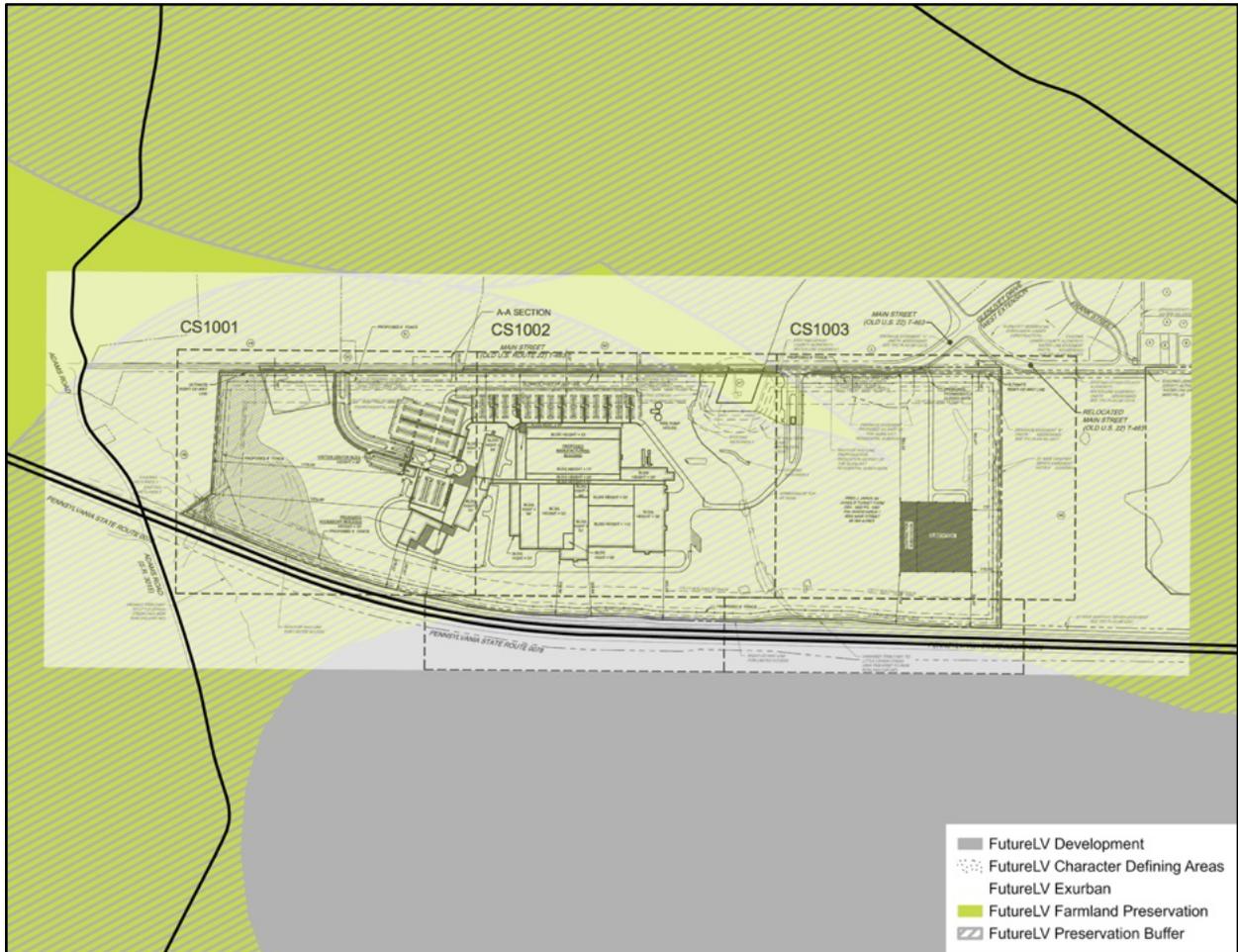


Overall Site Plan Overlaid on Aerial Imagery

The proposed Eli Lilly facility represents a major economic investment in the Lehigh Valley and the Commonwealth of Pennsylvania. According to recent reporting, the project represents an estimated \$3.5 billion investment and is expected to create approximately 850 permanent jobs and approximately 2,000 construction jobs as the facility is developed. This investment reinforces the Lehigh Valley’s long-standing role as a manufacturing center and ‘enhances growth by rooting economic development strategies in the unique competitive advantages of the region’ (of *FutureLV* Policy 4.1). The project also aligns with broader state-level economic development efforts to attract major manufacturing investments and expand workforce training programs related to pharmaceutical manufacturing and advanced production technologies (of Policy 4.2).

SITE SUITABILITY AND LAND USE

The proposal is located within the Preservation Buffer of the General Land Use Plan, which are areas where agricultural preservation is preferred, but factors may be present and capable of accommodating additional development. These factors are present at the project site, including access to public sewer and water and proximity to major highways and roadways including Interstate 78 and Route 100. The project site is located just north of I-78, and across I-78 from the site is an existing industrial park.



Overall Site Plan Overlaid on the FutureLV General Land Use Plan

Additionally, the Township's zoning of the property as Limited Light Industrial District (LIL) facilitates industrial development at this location, and the proposed use is permitted by right, according to the Township Zoning Ordinance (Section 27-306.2.)

The project site is in an area that has seen substantial industrial investment and growth over the past 20 years, and major transportation improvements are being coordinated in the vicinity. The project serves to 'match development intensity with existing and planned infrastructure capacity' (of Policy 1.1).

TRANSPORTATION

The site's proximity to Interstate 78, a major regional and interstate freight corridor, supports improving freight movement and regional mobility (of *FutureLV* Policy 2.4). Locating large employment centers near high-capacity highways helps minimize truck traffic through local residential streets and supports efficient supply chain operations.

The Lehigh Valley Transportation Study (LVTS), in partnership with the Pennsylvania Department of Transportation (PennDOT) have worked collaboratively to widen I-78 from the Berks County line eastward towards Route 100. In addition, a new interchange, at Adams Road and I-78, supported by the LVTS, PennDOT, and Upper Macungie Township has been in planning for approximately five years. This new interchange is less than ¼ of a mile from the project site. Both the I-78 widening and Adams Road interchange projects are in the state and federal planning and funding cycles now. Construction will occur after the opening of the Eli Lilly pharmaceutical manufacturing facility, however, additional transportation infrastructure is being added that supports the Fogelsville Industrial District north and south of I-78.

A traffic impact study (TIS) was provided as part of the review submission. The trip generation numbers provided within the TIS were determined based upon data provided to the engineering consultant from the developer of the facility, though the TIS did not specify the source or validity of this data. The TIS also includes specific forecasts for truck trips, but does not explain how those trips were calculated. During the land use of regional significance coordination meeting with regulatory partners, including the Township, it was noted that additional information is forthcoming. Should this information be received prior to action by the LVPC, any changes to this review will be noted.

Until revised transportation impact information is received, the following comments remain: the applicant should address how it was determined that only 90 trucks are anticipated to be generated per day, according to the TIS.

LVPC staff used the Institute of Transportation Engineers (ITE) Trip Generation Manual, ITE Land Use Code 140 (Manufacturing) to estimate the number of new trips generated by the project. The ITE Trip Generation numbers estimate fewer trips peak hour than those provided in the TIS. The TIS trip estimates are based on the expected entry and exit patterns for two 12-hour shifts for factory shift workers (232 for the 6 AM to 6 PM shift and 232 for the 6 PM to 6 AM shift).

A comparison between both calculations are shown below:

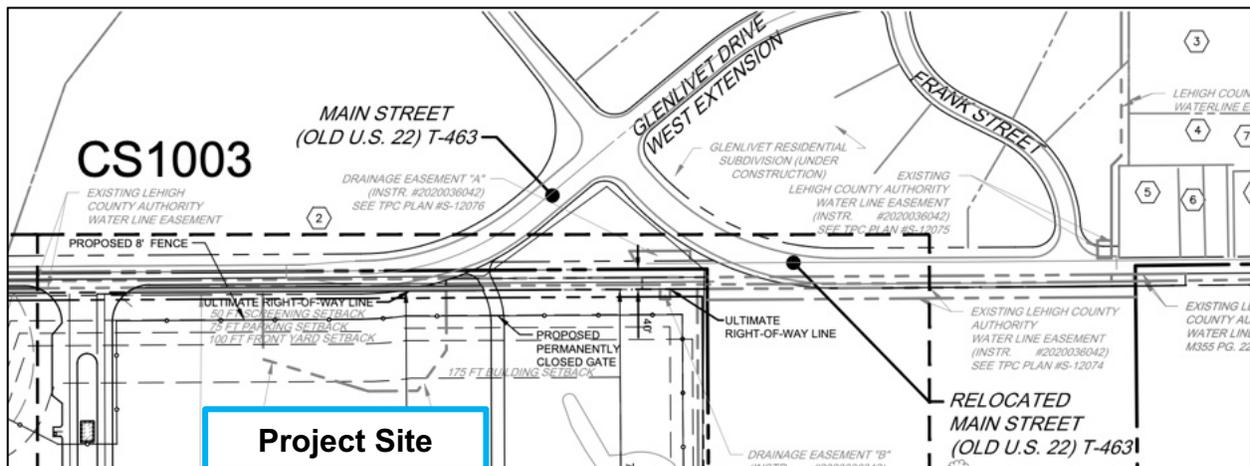
	Trip Generation Calculations based on ITE (LU Code 140)*	Trip Generation Calculations provided by applicant:
Average Daily Weekday Trips	New Car Trips: 2,270 New Truck Trips: 289 Total New Trips: 2,559	New Car Trips: 2,221 New Truck Trips: 90 Total New Trips: 2,311
AM Peak	New Truck Trips: 26 Total New Trips: 222	New Truck Trips: 32 Total New Trips: 418
PM Peak	New Truck Trips: 17 Total New Trips: 221	New Truck Trips: 32 Total New Trips: 650

***ITE Definition of Manufacturing:** A manufacturing facility is an area where the primary activity is the conversion of raw materials or parts into finished products. The size and type of activity may vary substantially from one facility to another. In addition to the actual production of goods, a manufacturing facility typically has an office and may provide space for warehouse, research, and associated functions.

Access to the site is planned to be provided via two driveways with one lane in each direction, one connected to Old U.S. Route 22, and a one proposed gated access drive to the onsite sub-station also connected to Old U.S. Route 22.

One of the access driveways will be used primarily to serve trucks to and from the site while the other full access drive will primarily serve passenger vehicles to and from the site.

Any traffic traveling to and from the site will most likely be traveling East from the site to Route 100, which may take them through Main Street in Fogelsville. Upper Macungie Township has asked the developer to make attempts to deter the employee and truck trips from traveling on Main Street. Although the relocation of Main Street to form a four-way intersection with Glenlivet Drive will help direct traffic north of Fogelsville, wayfinding signage should be implemented both on-site and along nearby roadways to clearly direct trucks, employees, and visitors to the appropriate entrances. This may help reduce confusion and unnecessary circulation on surrounding roadways and discourage trucks from traveling through sensitive residential or village areas such as Main Street in Fogelsville or the Glenlivet Residential Subdivision under construction (of Policies 2.4 and 5.1).



Enlarged Site Plan Showing Glenlivet Drive Extension / Relocated Main Street

Impacts of a large employer expand beyond the development itself. Conversations are on-going between the Township, end user, PennDOT, LVPC and many other land development partners. One of the items under consideration is the acknowledgement that even with the new interchange at Adams Road and I-78 open in the future, Old U.S. Route 22, through Fogelsville and the Glenlivet Drive routes both lead to services that will be utilized by employees, suppliers and visitors to the Eli Lilly facility. Service, including grocery, healthcare, fitness centers, restaurants and gas stations, among other businesses are close by. It is expected that traffic patterns will evolve and change with this new, large employer, especially along Route 100. Maintenance and refinement of the transportation system nearby will become an important need as the manufacturing business begins. Monitoring traffic signal timing, turning movements, infrastructure maintenance and even transit needs by the Township, in partnership with PennDOT, LANTA and LVPC, is necessary.

The plans include electric vehicle charging spots within the visitor parking area, and encourages the applicant to ensure alternative fueling spots are provided within the employee parking lots and for tractor trailers (of Policies 2.2, 3.2 and 3.4).

Sidewalks are substantially included throughout the project site, including along most of the Old U.S. Route 22 property frontage, which supports pedestrian safety and reducing fatalities towards zero (of Policies 5.1 and 5.3). The applicant should consider extending the sidewalk fully along the property frontage to the east to support the potential for future connectivity with other properties. The external walkway runs along the access driveway, and crosswalk markings and signage are provided which enhance safety for employees walking within the site (Policies 5.1 and 5.3). The sidewalks are shown along the frontage of the proposed Industrial Drive without any Truncated Dome Pattern for Americans with Disabilities Act (ADA) Detectable Warning Surfaces (ADW). These are needed for compliance with the ADA infrastructure requirement and should be constructed to meet ADA Federal Guidelines (of Policy 5.3).

Bicycle racks at the building should be provided where appropriate near building entrances to encourage alternative transportation options and offer a seamless network for employees to safely ride to work. Given the continued growth of employment centers in the area, the site design should preserve opportunities for future pedestrian and bicycle connections, such as by providing stubs or connection points at the edge of the property (of Policies 2.2, 2.3, and 5.3).

The Lehigh and Northampton Transportation Authority (LANTA) provides fixed-route public transportation in the vicinity east and south of the project site, with bus stops on Tilghman Street to the east, Glenlivet Drive and Nursery Street to the northeast, and Nestle Way south of the project site on the other side of I-78. While LANTA does not currently serve the frontage of the project site on Main Street, near-term plans call for an extension of service via Old US-22 (Main Street), Adams Road, and Nestle Way, pending coordination with the proposed Adams Road Interchange. LANTA currently does not plan to enter and serve the project site, however the proposed site plans include a comprehensive pedestrian network that allows pedestrians and transit riders to safely access the facility main entrances.

To support anticipated future transit service, the applicant should include a new bus stop along the property frontage on Main Street, nearside of the new intersection alignment with Glenlivet Drive and Haaf Road. The new bus stop should include an accessible five-foot by eight-foot concrete bus stop landing pad, and the LVPC encourages the inclusion of rider-supportive necessities such as benches, a shelter, lighting, and trash receptacles (of Policy 2.3). Given the expected workforce associated with the development, the applicant should consider

implementing Transportation Demand Management (TDM) strategies to reduce single-occupancy vehicle trips. These strategies could include designated carpool and vanpool parking spaces near building entrances.

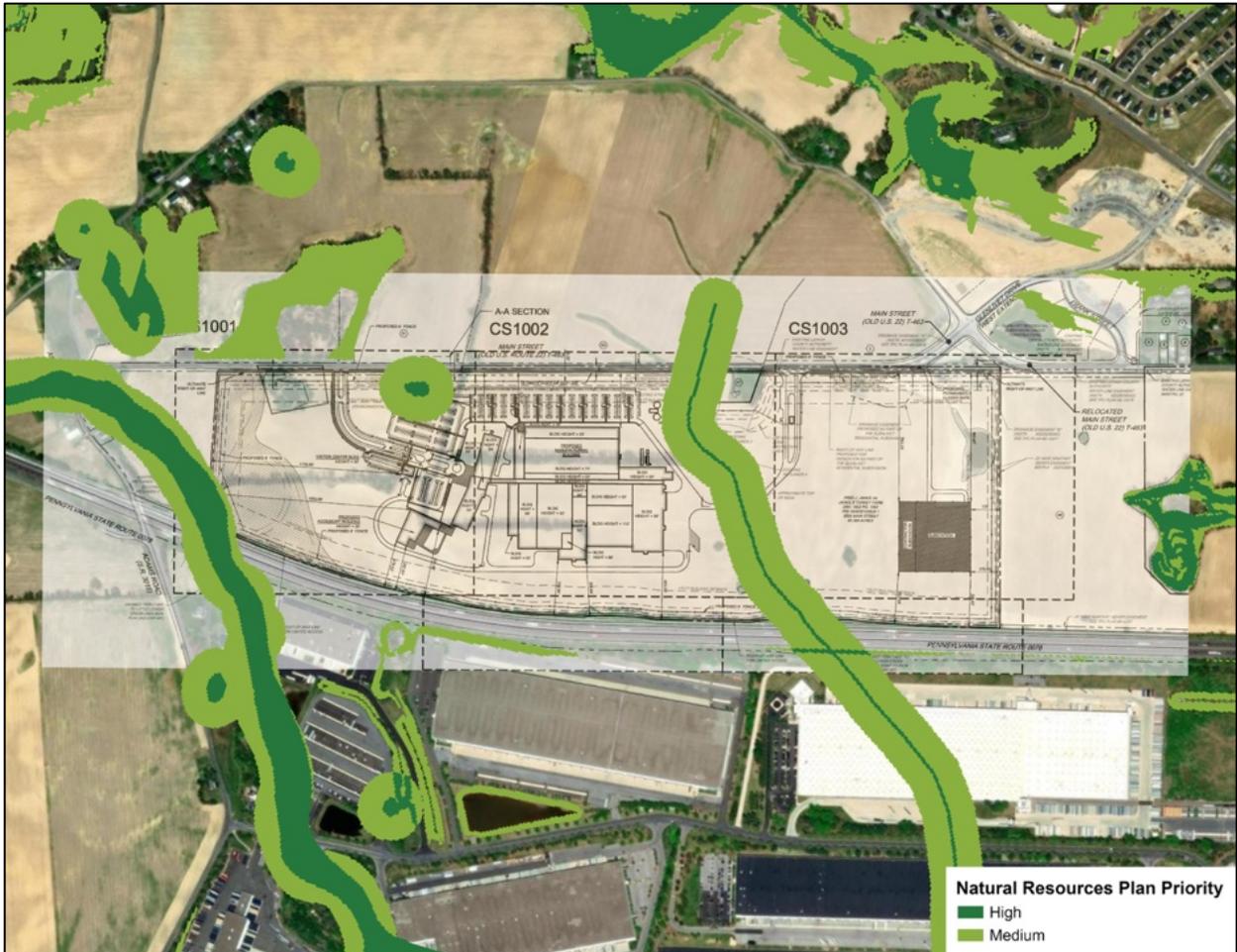
A connected tractor-trailer requires 70 feet of parking to safely park and allows movement of other vehicles around the parked vehicle. The sizing of the trailer parking spaces should be specified in the site plan. The loading zones and dock doors are not marked on the plan and should be to properly show truck turning and interaction with the other vehicles on the site.

There are some dedicated truck parking spaces, though seemingly a deficient amount for the anticipated number of trucks accessing the site, but it is not clear if they are long-term or to address hours of compliance. Overnight or long-term parking spaces are a critical safety element for drivers and trucks as well as the community to provide safe and designated parking locations for drivers that may be not allowed to drive after working their allotted “hours of service” to legally be allowed to drive. Truck parking is a national problem and freight-centric facilities such as this project can accommodate a limited number of parking spaces to help the truck parking shortage. It is strongly recommended that several parking spaces be provided for tractor-trailers, to allow drivers to rest and reset their hours-of-service timeframes. (Policy 2.4) Consideration should also be given to providing adequate truck stacking space at the gated access point to prevent trucks waiting for entry from queuing back onto Old U.S. Route 22. Any security checkpoint or gate operation should be designed to accommodate peak truck arrival periods without impacting traffic operations on the adjacent roadway (of Policy 5.1).

There are no shown snow removal provisions for compliance with the Pennsylvania Snow Removal law requiring vehicles to remove snow and ice from the tops of vehicles as to not cause road hazards and unsafe conditions. Snow removal equipment to provide compliance with the law for drivers is becoming commonplace for freight-centric facilities (of Policies 2.2 and 5.1).

ENVIRONMENT

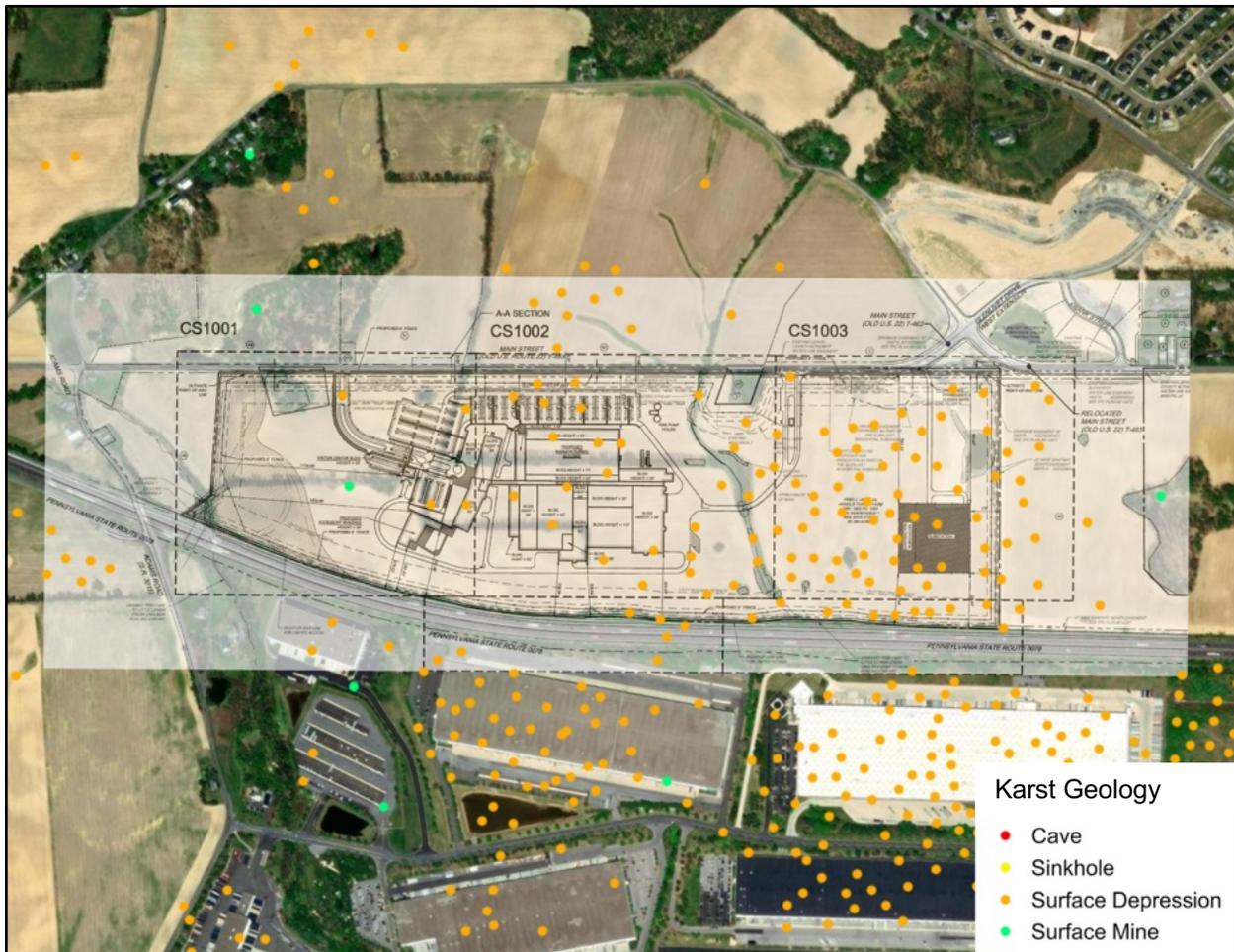
The project site contains existing natural features, including two tributaries to the Little Lehigh Creek, and several wetland and woodland areas. Site plans largely avoid disturbing these natural features, which serves to ‘preserve natural resources in the land development process’ (of Policy 3.1). Tributaries to the Little Lehigh Creek must include a minimum 150-foot riparian buffer as the creek is designated by the Pennsylvania Department of Environmental Protection as a High Quality waters.



Overall Site Plan Overlaid on the FutureLV Natural Resources Plan

LVPC notes the presence of a Lehigh County Authority Groundwater Well on the northeast corner of the project site, adjacent to the Main Street parking entrance. The applicant must ensure that the Well Head Protection Zone boundaries established surrounding the site be maintained and that the proposed development will not impact this critical resource, to 'protect the quality and quantity of surface and groundwater' (of Policy 3.2).

Mapping provided by the Bureau of Topographic and Geologic Survey at the Pennsylvania Department of Conservation and Natural Resources indicates the extensive presence of karst in the form of surface depressions and a surface mine on the site. The LVPC advises the applicant to ensure proper geotechnical testing and reporting of results, prior to any land development, to 'minimize environmental impacts of development to protect the health, safety and welfare of the public' (Policy 3.2).



Overall Site Plan Overlaid on LVPC's GIS Mapping of Karst Geology

Substantial landscaping is proposed throughout the project site, including along roadway frontage and site boundaries, throughout parking areas, and along access drives and stormwater basins, which will contribute to visual buffering, site aesthetics, and stormwater management. Additionally, most proposed landscaping species are native to Pennsylvania or the eastern United States *FutureLV* (Policy 3.4). To support the long-term sustainability of the proposed landscaping design, the LVPC recommends that all parking lot islands contain sufficient soil volume and width to support the recommend tree species noted on the landscaping plan, and that as much as possible, non-native varieties be replaced by native species (canopy trees typically require 1,000-1,200 cubic feet of soil to support healthy growth).

The LVPC encourages the applicant to consider the financial and environmental benefits of incorporating sustainable systems into facility functionality. During the partner engagement meeting held earlier this month, it was noted that the intended plan for this development includes green building and site design elements, which support the Regional Plan, and the long-term sustainability of the Township and Lehigh Valley. Sustainable utilities and systems, such as solar panels, green roofs, geothermal energy systems and greywater reuse for irrigation and plumbing, reduce overhead operational costs while also 'minimizing environmental impacts of development' (Policy 3.1), 'encourage reuse, sustainable building, site design and community design practices' and supporting 'renewable energy and diversification of sources' (of Policy 3.4).

The project site is located within the Little Lehigh Creek watershed. This watershed has a fully implemented Act 167 Stormwater Management Ordinance. Comments related to our review of the project's stormwater management plan are included as attachment 1.

The LVPC has copied appropriate representatives from adjacent municipalities to further 'coordinate land use decisions across municipal boundaries' (of Policy 1.4).

Municipalities, when considering subdivision/land developments, 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)]. The LVPC review does not include an in-depth examination of plans relative to subdivision design standards or ordinance requirements since these items are covered in the municipal review.

Sincerely,



Jill Seitz
Chief Community and Regional Planner



Susan Myerov
Director of Environmental Planning



Evan Gardi
Transportation Planner

cc: Ryan Kern, Township Engineer; Rick Moore, DPR Construction, Applicant; Mike Kissinger, Pennoni Associates, Project Engineer; David M. Jaendl, Record Property Owner; Stephen Nemeth, Alburtis Borough Manager; Shane Pepe, Emmaus Borough Manager; Emily Fucci, Lower Milford Township Administrator; John Brown, Macungie Borough Manager; Ed Carter, Upper Milford Township Manager; Meredith Keller, Upper Macungie Township Director of Community Development; Dave Manhardt, South Whitehall Township Director of Community Development; Jennifer Gomez, City of Allentown Planning Director; Kerry Rabold, Salisbury Township Planning & Zoning Officer; Liesel Gross, Lehigh County Authority Chief Executive Officer; Garrett Cook, Lehigh County Conservation District Engineer; Fadia Halma, PA DCED Lehigh Valley Regional Director; Dean Ritter, PA DEP Assistant Regional Director; Jane George, PPL Regional Affairs Director; Joseph Lookup, PPL Vice President of Transmission & Distribution Planning & Asset Management Brian Boyer, PennDot District 5; Chad Pindar, Delaware River Basin Commission Water Resource Planning Section Manager; Molly Wood, LANTA Planner/Land Use Specialist.



CHRISTINA "TORI" MORGAN
Chair

ARMANDO MORITZ-CHAPELLIQUEN
Vice Chair

PHILLIPS ARMSTRONG
Treasurer

BECKY A. BRADLEY, AICP
Executive Director

March xx, 2026

Jill Seymour, Secretary
Lowhill Township
7000 Herber Road
New Tripoli, PA 18066

**Re: Data Center Ordinance
Lowhill Township
Lehigh County**

Dear Ms. Seymour,

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, and we welcome your participation. Meeting details are below:

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The proposal amends the Lowhill Township Zoning Ordinance by adding Digital Infrastructure Facilities (DIF) as a conditional use within the Regional Use Overlay 2 zoning district.

Digital Infrastructure Facilities are essential components of modern technological infrastructure, enabling everyday devices to send and receive digital data needed for video streaming, online shopping, cloud storage, and communicate with other devices. With the growth of digital device and technology usage, digital infrastructure facilities like hyperscale data centers have been expanding across Pennsylvania and are an emerging land use in the Lehigh Valley. When sited appropriately and connected to adequate infrastructure capacity, data centers can support the continuation of the region’s technological evolution, economic base and resilience (of Policy 4.1). The Township’s proposed ordinance both aligns with best practices for regulating data

centers and contains opportunities to improve the ordinance to support public health, safety and welfare.

The following aspects of the proposed ordinance align with *FutureLV: The Regional Plan* and best practices for regulating data centers:

- **Conditional Use:** Permitting digital infrastructure and hyper digital infrastructure facilities as a conditional use allows the Township to evaluate project impacts on a case-by-case basis to determine community needs and sensitivities and balance those needs with the demand for modern technological infrastructure. This approach supports an efficient development process that is responsive to regional needs and minimizes the impacts of regionally significant land uses (of Policy 1.4).
- **Definitions:** The ordinance distinguishes between Digital Infrastructure Facilities and Digital Infrastructure Facility Accessory Uses and includes a definition for Sensitive Receptors. The definition for Sensitive Receptors includes uses such as residences, uses for the care of children or the elderly, and public spaces such as parks, community centers, or places of worship. Additionally, the ordinance includes a definition for Hyper Digital Infrastructure Facilities, defined by an electrical demand at full build-out of 50 megawatts (mw) or more, with 'site impacts that materially exceed those of traditional office, warehouse, or light industrial uses'. Providing definitions encourages clarity and minimizes impacts of regionally significant land uses (of Policy 1.4).
- **Parking:** Because data centers typically have fewer employees than other types of industrial uses, applying parking minimum standards that are typical of other types of industrial uses may lead to overbuilt, unused impervious surfaces that exacerbate stormwater impacts. The proposed parking requirement of one space per on-site employee supports best-practice contextual standards that match development intensity with appropriate infrastructure capacity (of Policy 1.1) and reduce impervious surfaces and protect water sources (of Policy 3.3).
- **Aesthetics:** The aesthetic standards included in the ordinance help to minimize the visual impacts of the scale of buildings on neighboring properties and 'promote context-specific design solutions' (of Policy 5.4).
- **Setbacks:** The LVPC commends the proposed setback of 500 feet from any property line. Large setbacks, especially where the data center borders any residential use, sensitive receptor, or public roadway help to minimize noise and visual impacts on adjacent property owners (of Policy 3.2).
- **Traffic Impacts:** The ordinance requires the applicant submit a traffic-impact analysis to address construction-phase traffic and oversized equipment deliveries, which supports the goal of *FutureLV* to 'minimize quality of life impacts

to residents' by ensuring adequate transportation capacity is available (of Policy 2.4).

- **Cooling:** As part of the conditional use approvals process, the ordinance requires that the applicant specify the type of cooling method proposed. Considering that changes to the proposed cooling method after approval is granted will alter the required water/sewer and power requirements and change the required utility infrastructure to support it, specifying this upfront 'encourages an efficient development process' (of Policy 1.4). Section 985e should cross-reference Section 986.06, Closed-Loop Cooling Operational System Standards.
- **Power Supply:** The ordinance requires applicants to submit an electrical utility impact study to disclose the total electrical demand of the proposed facility at full build-out, demonstrate adequate infrastructure capacity exists to serve the proposed facility, and identify any necessary new or expanded utility infrastructure/upgrades and written. The LVPC recommends that the Township also require applicants to document efforts made to maximize the use of renewable and/or clean energy for their electrical and cooling needs, either through on-site generation or verifiable power purchase agreements. These efforts 'reduce greenhouse gas emissions' and 'promote energy conservation' (of Policy 3.4). Requirements related to electrical utilities should cross-reference Sections 986.03 and 986.18.
 - **Back Up Power:** The ordinance specifies that any backup power equipment minimize air pollutant emissions in accordance with EPA Tier 4 emissions standards and require annual testing to minimize air quality impacts (of Policy 3.2). Detailed specifications on emissions controls and fuel storage safety measures such as spill-prevention and secondary containment should also be included to ensure public health and environmental safety. Section 986.04 and Section 986.16 should be cross-referenced.
- **Decommissioning and Electronic Waste Plan:** The ordinance includes provisions for decommissioning and site restoration, requiring that upon cessation of operation, the owner or operator of the DIF 'shall remove all generators, tanks, battery systems, electrical infrastructure, and related improvements' from the property 'no later than 3 years following the commencement of removal activities'. As part of the Conditional Use application, the applicant will be required to outline 'procedures for safe removal and recycling or disposal of server infrastructure, hazardous material, batteries, electronic waste, and related products' to apply when DIFs are updated or decommissioned. Taken together, the decommissioning plan and electronic waste plan support the goal of *FutureLV* to 'enhance the long-term viability of assets' and 'provide environmentally responsible and economical solid, electronic and hazardous waste disposal and recycling' (of Policies 1.3 and 3.2).

- **Water Supply:** The ordinance requires a water feasibility study be submitted that identifies the source of water to be used and whether an adequate supply is available or, a user agreement from a public water source and a demonstration of adequate means of wastewater disposal that includes all necessary approvals. The LVPC recommends that this report also include modeling of water use at peak-stress conditions to ensure year-round feasibility as well as proof of review and approval from the Delaware River Basin Commission (DRBC) where applicable. The addition of a water feasibility study supports the ‘protection of the quality and quantity of surface water and groundwater’ (of Policy 3.2).

The LVPC offers additional recommendations for the Township’s consideration to further strengthen its regulations and promote public health, safety and welfare:

- **End Users:** The ordinance requires that the proposed end user(s) and the specific purpose or function of the data center be identified as part of the conditional use approval process. The Township should consult with their solicitor to ensure that this requirement serves a defensible legal purpose in the interest of the health and safety of the public (of Policy 1.4).
- **Closed-Loop Cooling vs. Once-Through Cooling:** In Section 986.06, the Township requires that all DIFs ‘utilize closed-loop cooling systems to the maximum extent feasible, such that cooling water is recirculated and reused, and cooling operations do not rely on continuous once-through withdrawal and discharge’. Once-through cooling systems will be prohibited unless the applicant can demonstrate that a closed-loop system is not feasible, and that withdrawal/discharge will not adversely affect water resources. Preference for closed-loop cooling ‘protects the quality and quantity of surface water and groundwater’ (of Policy 3.2). It is recommended that a definition of both Closed-Loop and Once-Through Cooling be included in the Definition section of the ordinance and that this section, 986.06, be cross referenced with Section 985e.
- **On-site Energy Generation:** The LVPC recommends including provisions for on-site power generation uses such as fuel-cell power stations, geothermal, and solar photovoltaics. These are viable alternative and supplemental energy options for technology-based land uses which are highly energy-consuming. By regulating on-site energy generation, the Township can further ‘integrate efficiency measures and emerging technologies’, ‘improve the utility and mobility infrastructure of the region’ (of Policy 1.1), and ‘minimize and mitigate the impacts of utility expansion associated with technological advancements’ (of Policy 3.2).
- **Noise:** The Lowhill Township zoning ordinance limits noise to a maximum daytime decibel level of 80 dB(A) and a maximum nighttime decibel level of 65 dB(A). When proper noise abatement measures are taken by the developer (such as installing sound attenuation walls), noise level at the property line can

be significantly reduced. Data Centers are operational 24/7, so noise levels are unlikely to change throughout the day unlike other kinds of industrial uses. The LVPC recommends that the Township consider lowering the permissible maximum decibel level to 55 dB(A) regardless of the time of day, especially where the Data Center borders residential uses or other Sensitive Receptors (of Policy 3.2).

- **Sustainable Infrastructure/Building Design:** The LVPC recommends that the Township include provisions that encourage features like LEED certification and roof-mounted solar energy systems for Data Center buildings, which supports 'sustainable building, site design and community design practices' (of Policy 3.4).

Municipalities, when considering zoning 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)].

The LVPC has copied representatives of the *Northern Lehigh Multi-Municipal Comprehensive Plan* to 'coordinate land use decisions across municipal boundaries' (of Policy 1.4).

Sincerely,



Mary Grace Collins
Community and Regional Planner

CC: Dawn Didra, Heidelberg Township Administrator; Trish Burkhardt, Lynn Township Administrative Assistant; Roy Hambrecht, Slatington Borough Manager; Wade Marlatt, Washington Township (LC) Manager; Brian Carl, Weisenberg Township Manager



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March 13, 2026

Belinda Roberts, Manager
Bushkill Township
1114 Bushkill Center Road
Nazareth, PA 18064

**Re: Zoning Ordinance Amendment – Cryptocurrency Mining Facility, Data Center, Solar Energy Facility and Membership Clubs
Bushkill Township
Northampton Township**

Dear Ms. Roberts,

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, and we welcome your participation. Meeting participation details are below:

<p>LVPC Comprehensive Planning Committee Meeting:</p> <p>March 24, 2026, at 12:00 PM (Virtual) https://lvpc.org/lvpc-meetings</p>	<p>LVPC Full Commission Meeting:</p> <p>March 26, 2026, at 7:00 PM (In-person) 615 Waterfront Drive, Suite 201 LVPC Conference Center</p>
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The proposal amends the Bushkill Township Zoning Ordinance by adding Definitions and regulations for Cryptocurrency Mining Facilities, Data Centers, Data Center Accessory Uses, and Solar Energy Facilities. All of the above uses will be allowed as a special exception in the General Commercial/Industrial District (GC/I).

Data Centers

Data Centers are essential components of modern technological infrastructure, enabling everyday devices to send and receive digital data needed for video streaming, online shopping, cloud storage, and communicate with other devices. With the growth of digital device and technology usage, hyperscale data centers have been expanding across Pennsylvania and are an emerging land use in the Lehigh Valley. When sited appropriately and connected to adequate infrastructure capacity, data centers can support the continuation of the region’s technological evolution, economic base and resilience (of Policy 4.1). Bushkill Township’s proposed ordinance both aligns with best

practices for regulating data centers and contains opportunities to improve the ordinance to support public health, safety and welfare.

The following aspects of the proposed ordinance align with *FutureLV: The Regional Plan* and best practices for regulating data centers:

- **Definitions:** The ordinance clearly distinguishes between Data Centers, Data Center Accessory Uses, and Cryptocurrency Mining Facilities. The Township's definition of Data Centers includes cryptocurrency mining and blockchain transaction processing operations. Providing definitions encourages clarity and minimizes impacts of regionally significant land uses (of Policy 1.4).
- **Emergency Planning:** The provision requiring an Emergency Response Plan aligns with *FutureLV* by enhancing planning and emergency response capabilities (of Policy 5.1). The LVPC encourages continued coordination between the applicant, Township and local emergency service providers to ensure adequate site design that supports preparedness and response capabilities.
- **Parking:** Because data centers typically have fewer employees than other types of industrial uses, applying parking minimum standards that are typical of other types of industrial uses may lead to overbuilt, unused impervious surfaces that exacerbate stormwater impacts. The proposed parking requirement of one space per 8,000 square feet of floor area supports best-practice contextual standards that match development intensity with appropriate infrastructure capacity (of Policy 1.1) and reduce impervious surfaces and protect water sources (of Policy 3.3). The Township may also wish to add "1 space per employee, whichever is lesser" to the existing regulation to help prevent excessive parking for very large data centers.

The LVPC offers additional recommendations for the Township's consideration to further strengthen its regulations and promote public health, safety and welfare:

- **Conditional Use:** The LVPC recommends the Township permit Data Centers in the GC/I District as a Conditional Use. Permitting data centers as a conditional use allows the Township's governing body additional oversight to evaluate project impacts on a case-by-case basis to determine community needs and sensitivities and balance those needs with the demand for modern technological infrastructure. This approach supports an efficient development process that is responsive to regional needs and minimizes the impacts of regionally significant land uses (of Policy 1.4).
- **Aesthetics:** Including aesthetic standards such as facade articulation and roofline and material variation help to minimize the visual impacts of the scale of

buildings on neighboring properties and ‘promote context-specific design solutions’ (of Policy 5.4).

- **Sustainable Infrastructure/Building Design:** The LVPC recommends the Township include provisions in the ordinance that encourage energy-efficient design standards such as LEED certification and roof-mounted solar energy systems for Data Center buildings, which supports ‘sustainable building, site design and community design practices’ (of Policy 3.4).
- **Setbacks:** The LVPC recommends that the ordinance include setback standards of 500 feet, especially where the data center borders any residential use, sensitive receptor, or public roadway to minimize noise and visual impacts on adjacent property owners (of Policy 3.2).
- **Landscaping and Screening/Fencing:** To promote clarity and efficiency in the land development process (of Policy 1.4), the Township should clarify the permissible plant species in Section 3JJJ(4). Encouraging the use of ‘native, climate-adaptive and carbon sequestering’ species is a best practice (of Policy 3.4).
- **Noise:** The LVPC recommends the Township set a specific noise limit for Data Centers, such as 55 decibels, measured at the property line, especially where the Data Center borders residential uses or other sensitive users (of Policy 3.2). Since Data Centers are operational 24/7 and noise levels are unlikely to change throughout the day unlike other kinds of industrial uses, this limit should apply at all hours of the day. When proper noise abatement measures are taken by the developer (such as installing sound attenuation walls), noise level at the property line can be significantly reduced.
- **Power Supply:** The ordinance requires that documentation be submitted of agreement with utility providers to serve potential data centers and that the necessary capacity is available, with the details of any known impacts on rates or availability for other users. In addition to these requirements, documentation of the projected annual electricity demand and supply source(s) should be provided. The Township should also require applicants to document efforts made to maximize the use of renewable and/or clean energy for their electrical and cooling needs, either through on-site generation or verifiable power purchase agreements. These efforts ‘reduce greenhouse gas emissions’ and ‘promote energy conservation’ (of Policy 3.4).
 - **Back Up Power:** The ordinance should specify that any backup power equipment minimize air pollutant emissions in accordance with EPA Tier 4 emissions standards and require annual testing to minimize air quality impacts (of Policy 3.2). Detailed specifications on emissions controls and fuel storage safety measures such as spill-prevention and secondary

containment should also be included to ensure public health and environmental safety.

- o **On-site Energy Generation:** The LVPC recommends including provisions for on-site power generation uses such as fuel-cell power stations, geothermal, and solar photovoltaics. These are viable alternative and supplemental energy options for technology-based land uses which are highly energy-consuming. By regulating on-site energy generation, the Township can further ‘integrate efficiency measures and emerging technologies’, ‘improve the utility and mobility infrastructure of the region’ (of Policy 1.1), and ‘minimize and mitigate the impacts of utility expansion associated with technological advancements’ (of Policy 3.2).
- **Cooling:** As part of the project approval process, the applicant should specify the type of cooling method proposed, whether predominantly water-cooled or air-cooled, to ‘encourage an efficient development process’ (of Policy 1.4). Changes to the proposed cooling method after approval is granted will alter the required water/sewer and power requirements and change the required utility infrastructure to support it.
- **Water Supply:** The ordinance requires a Water Resources Impact Study be submitted that identifies the source of water to be used and whether an adequate supply is available. The additional oversight of a Water Resources Impact Report supports the ‘protection of the quality and quantity of surface water and groundwater’ (of Policy 3.2). The LVPC recommends that this report also include modeling of water use at peak-stress conditions to ensure year-round feasibility as well as proof of review and approval from the Delaware River Basin Commission (DRBC) where applicable. If utilizing a public water/sewer source, the applicant should model projected daily and peak stress water demand. User agreements should also demonstrate adequate means of wastewater disposal that includes all necessary approvals.

Solar Energy Facilities

The proposal includes Solar Energy Facilities (principal use) as a Special Exception in the General Commercial/Industrial District. Utility-scale solar, often referred to as “solar arrays”, produce electricity for transmission into the power grid for use offsite.

Proactively zoning for solar energy supports the goals of *FutureLV* to ‘reduce greenhouse gas emissions’, and ‘supports renewable energy and diversification of sources’, helping to ‘reduce climate change impacts through mitigation and adaptation’ (of Policy 3.4).

The LVPC offers the following comments:

- **Decommissioning:** The LVPC commends the inclusion of restoration and reseeded of the land as part of the decommissioning process, which supports

the goal of *FutureLV* to 'preserve natural resources in the land development process' (of Policy 3.1).

- **Fencing and Buffering:** To 'promote habitat connectivity' and 'sustainable stewardship of natural lands, water resources, and open space' (of Policy 3.1), the Township is encouraged to specify that fencing requirements incorporate wild-life friendly fencing or unfenced passageways and to use 'native, climate-adaptive and carbon-sequestering' (of Policy 3.4) vegetation in buffering requirements.
- **Emergency Management:** The LVPC recommends the ordinance include provisions for proper emergency access to the site and for applicants to submit an emergency management plan for use by police and fire to 'enhance planning and emergency response efforts among emergency management personnel' (of Policy 5.1).
- **Agrivoltaics:** The LVPC encourages the Township to include consideration for agrivoltaics to allow grazing animals, such as sheep, and other solar-compatible agricultural or ecological practices to make beneficial use of the land under and around the solar array to be allowed as incidental to the solar energy facility as a primary use, especially where solar energy facilities are to be located on agricultural lands. These practices serve as a means to preserve farm functionality and diversify income sources for the landowner, 'supporting agriculture as an essential component of the regional economy' (of Policy 4.4).

Municipalities, when considering zoning ordinance amendments, should reasonably attempt to be consistent with *FutureLV: The Regional Plan*, as required by the Pennsylvania Municipalities Planning Code (MPC) [Article I§105, Article III§303, §304 & §306(a), Article VI§603(j)].

The LVPC has copied representatives of the *Nazareth Area Multi-Municipal Comprehensive Plan* to 'coordinate land use decisions across municipal boundaries' (Policy 1.4).

Sincerely,



Mary Grace Collins
Community and Regional Planner

Cc: Bradford T. Flynn, Bath Borough Manager; John Defassio, Chapman Borough Secretary; Mark Hudson, Hanover Township Manager; Lori Stauffer, Lower Nazareth Township Manager; Stephen Nowroski, Moore Township Manager; Paul Kokolus, Nazareth Borough Secretary/Treasurer;

Candace Keller, Stockertown Borough Secretary/Treasurer; Mark Saginario, Tatamy Borough Manager;
Lisa Klem, Upper Nazareth Township Manager



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BECKY A. BRADLEY, AICP
Executive Director

March 17, 2026

Sharon Cifuentes, Secretary/Treasurer
Washington Township
1021 Washington Boulevard
Bangor, PA 18013

**Re: Data Centers – Zoning Ordinance Amendment
Washington Township
Northampton County**

Dear Ms. Cifuentes,

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, and we welcome your participation. Meeting participation details are below:

<p>LVPC Comprehensive Planning Committee Meeting:</p> <p>March 24, 2026, at 12:00 PM (Virtual) https://lvpc.org/lvpc-meetings</p>	<p>LVPC Full Commission Meeting:</p> <p>March 26, 2026, at 7:00 PM (Virtual or In-Person) https://lvpc.org/lvpc-meetings</p>
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The proposal amends the Washington Township Zoning Ordinance by adding definitions and regulations for “Data Storage Centers”, including cryptocurrency mining facilities, data center accessory uses and data center equipment. The amendment establishes Data Storage Centers as a special exception use in the Industrial Zoning District, subject to detailed standards addressing access, buffering, water and sewer service, environmental impact assessment, electric interconnection, fire protection and noise.

LVPC supports Washington Township’s proactive effort to address an emerging land use before proposals arrive. That approach is consistent with *FutureLV: The Regional Plan*’s direction to guide the location and intensity of development, match development intensity with infrastructure capacity, and encourage an efficient development process responsive to regional needs (of Policy 1.1). Washington Township’s proposed ordinance both aligns with best practices for regulating data centers and contains opportunities to improve the ordinance to support public health, safety and welfare.

The following aspects of the proposed ordinance align with *FutureLV: The Regional Plan* and best practices for regulating data centers:

- **Definitions:** The ordinance distinguishes different types and aspects of Data Storage Centers. Providing definitions encourages clarity and minimizes impacts of regionally significant land uses (of Policy 1.4).
- **Water and Sewer Impacts:** The proposed ordinance includes substantive utility and infrastructure review. Requiring evidence of water and sewage service, a water resources impact study, DRBC review where applicable, and an electric interconnection agreement reflects *FutureLV*'s emphasis on matching development intensity to available infrastructure (of Policy 1.1) and 'minimizes impacts of development to protect the health, safety and welfare of the public' (of Policy 3.2).
- **Buffering and Aesthetics:** The amendment includes meaningful impact-mitigation tools, including a 100-foot buffer yard, vegetated screening, limitations on exterior colors, requirements for emergency access, a fire protection plan, and a multi-phase acoustical study. These requirements support compatibility with surrounding uses and protection of community character and quality of life by 'promoting context-specific design solutions' (of Policy 5.4).
- **Natural Resource Protection:** The requirement for an environmental impact assessment is a strong feature. Requiring analysis of nuisance impacts, stormwater, comprehensive plan consistency, alternatives, unavoidable impacts and critical environmental features serves to 'preserve natural resources in the land development process' (of Policy 3.1).
- **Sustainable Infrastructure/Building Design:** The proposed ordinance encourages LEED certification and roof-mounted solar energy systems, which supports 'sustainable building, site design and community design practices' (of Policy 3.4).
- **Special Exception Use:** Permitting data centers as a special exception use enables the Township to establish substantial submission criteria and thoroughly evaluate project impacts on a case-by-case basis, supporting 'an efficient development process that is responsive to regional needs' (of Policy 1.4). The LVPC notes that several sections under the proposed Special Exception Use standards refer to 'conditional use application' and should be clarified within special exception procedures.

The LVPC offers additional recommendations for the Township's consideration to further strengthen its regulations and promote public health, safety and welfare:

- **Setbacks:** The LVPC recommends setbacks of 200 to 500 feet for hyperscale data center facilities, especially where the data center borders any residential use, sensitive receptor, or public roadway to minimize noise and visual impacts on adjacent property owners (of Policy 3.2).
- **Noise:** The LVPC recommends establishing a permissible maximum decibel level (typically 55 decibels) regardless of the time of day, especially where the Data Center borders residential uses or other Sensitive Receptors (of Policy 3.2).
- **Power Supply:** The LVPC recommends adding requirements for any backup power equipment, such as minimizing air pollutant emissions in accordance with EPA Tier 4 emissions standards and requiring annual testing to minimize air quality impacts (of

Policy 3.2). Detailed specifications on emissions controls and fuel storage safety measures such as spill-prevention and secondary containment should also be included to ensure public health and environmental safety. The LVPC also recommends including requirements for on-site power generation uses such as fuel-cell power stations, geothermal, and solar photovoltaics. The technology facility industry is moving in the direction of on-site generation, and the Township can further 'integrate efficiency measures and emerging technologies', 'improve the utility and mobility infrastructure of the region' (of Policy 1.1), and 'minimize and mitigate the impacts of utility expansion associated with technological advancements' (of Policy 3.2).

- **Cooling:** As part of the special exception process, the applicant should specify the type of cooling method proposed, whether predominantly water-cooled or air-cooled, to 'encourage an efficient development process' (of Policy 1.4). Changes to the proposed cooling method after approval is granted will alter the required water/sewer and power requirements and change the required utility infrastructure to support it.

Municipalities, when considering zoning 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)].

The LVPC has copied representatives of the *Slate Belt Multi-Municipal Comprehensive Plan* to coordinate land use decisions across municipal boundaries (of Policy 1.4).

Please let me know if you have any questions about this review.

Sincerely,



Jill Seitz
Chief Community and Regional Planner

Cc: Richard Santee, Township Solicitor; Steve Reider, Bangor Borough Manager; Bonnie Due, East Bangor Borough Secretary; Brian Fenstermaker, Pen Argyl Borough Manager; Lori Sliker, Portland Borough Administrator; Cathy Martino, Roseto Borough Manager; Louise Firestone, Wind Gap Borough Manager.



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Executive Director

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March 16, 2026

Paige Stefanelli, Manager
Plainfield Township
6292 Sullivan Trail
Nazareth, PA 18064

**Re: Data Centers – Zoning Ordinance Amendment
Plainfield Township
Northampton County**

Dear Ms. Stefanelli,

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, and we welcome your participation. Meeting participation details are below:

<p>LVPC Comprehensive Planning Committee Meeting:</p> <p>March 24, 2026, at 12:00 PM (Virtual) https://lvpc.org/lvpc-meetings</p>	<p>LVPC Full Commission Meeting:</p> <p>March 26, 2026, at 7:00 PM (In-person) 615 Waterfront Drive, Suite 201 LVPC Conference Center</p>
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The proposal amends the Plainfield Township Zoning Ordinance by adding definitions and regulations for Data Centers as a conditional use in the General Commercial (GC) and Industrial Business Park (I-BP) Districts.

Data Centers are essential components of modern technological infrastructure, enabling everyday devices to send and receive digital data needed for video streaming, online shopping, cloud storage, and communicate with other devices. With the growth of digital device and technology usage, hyperscale data centers have been expanding across Pennsylvania and are an emerging land use in the Lehigh Valley. When sited appropriately and connected to adequate infrastructure capacity, data centers can support the continuation of the region’s technological evolution, economic base and resilience (of Policy 4.1). Plainfield Township’s proposed ordinance both aligns with best practices for regulating data centers and contains opportunities to improve the ordinance to support public health, safety and welfare.

The following aspects of the proposed ordinance align with *FutureLV: The Regional Plan* and best practices for regulating data centers:

- **Conditional Use:** Permitting data centers as a conditional use allows the Township to evaluate project impacts on a case-by-case basis to determine community needs and sensitivities and balance those needs with the demand for modern technological infrastructure. This approach supports an efficient development process that is responsive to regional needs and minimizes the impacts of regionally significant land uses (of Policy 1.4).
- **Definitions:** The ordinance distinguishes between Data Centers and Data Center Accessory Uses and includes a definition for Sensitive Receptors. The definition for Sensitive Receptors includes uses such as residences, uses for the care of children or the elderly, and public spaces such as parks, community centers, or places of worship. Providing definitions encourages clarity and minimizes impacts of regionally significant land uses (of Policy 1.4). The given definition for Sensitive Receptors in Section 27-320.5.C-1 should be located in the Definition Section 27-202 of the ordinance as well.
- **Emergency Planning:** The provision requiring an Emergency Response Plan aligns with *FutureLV* by enhancing planning and emergency response capabilities (of Policy 5.1). The LVPC encourages continued coordination between the applicant, Township and local emergency service providers to ensure adequate site design that supports preparedness and response capabilities.
- **Parking:** Because data centers typically have fewer employees than other types of industrial uses, applying parking minimum standards that are typical of other types of industrial uses may lead to overbuilt, unused impervious surfaces that exacerbate stormwater impacts. The proposed parking requirement of one space per 8,000 square feet of floor area or one space per on-site employee, whichever is lesser, supports best-practice contextual standards that match development intensity with appropriate infrastructure capacity (of Policy 1.1) and reduce impervious surfaces and protect water sources (of Policy 3.3).
- **Aesthetics:** The aesthetic standards included in the ordinance help to minimize the visual impacts of the scale of buildings on neighboring properties and ‘promote context-specific design solutions’ (of Policy 5.4).
- **Water and Sewer Impacts:** The proposed ordinance includes specific standards for protection from water and sewer impacts, which ‘minimizes impacts of development to protect the health, safety and welfare of the public’ (of Policies 5.4 and 3.2). The ordinance requires a water feasibility study be submitted that identifies the source of water and whether an adequate supply is available, proof of review and approval from the Delaware River Basin Commission (DRBC) or a

user agreement from a public water source, and a demonstration of adequate means of wastewater disposal that includes all necessary approvals. The LVPC recommends that this report also include modeling of water use at peak-stress conditions to ensure year-round feasibility. The additional oversight of water feasibility study supports the ‘protection of the quality and quantity of surface water and groundwater’ for a consumptive land use (of Policy 3.2).

The LVPC offers additional recommendations for the Township’s consideration to further strengthen its regulations and promote public health, safety and welfare:

- **Setbacks:** The LVPC recommends that setbacks be increased to from 200 feet to 500 feet, especially where the data center borders any residential use, sensitive receptor, or public roadway to minimize noise and visual impacts on adjacent property owners (of Policy 3.2).
- **Noise:** The proposed ordinance limits the sound generated by a Data Center and any Data Center Accessory Use to a maximum daytime decibel level of 67 dB(A) and a maximum nighttime and weekend decibel level of 57 dB(A). When proper noise abatement measures are taken by the developer (such as installing sound attenuation walls), noise level at the property line can be significantly reduced. Data Centers are operational 24/7, so noise levels are unlikely to change throughout the day unlike other kinds of industrial uses. The LVPC recommends that the Township consider lowering the permissible maximum decibel level to 55 dB(A) regardless of the time of day, especially where the Data Center borders residential uses or other Sensitive Receptors (of Policy 3.2).
- **Power Supply:** The ordinance requires that documentation be submitted of agreement with utility providers to serve potential data centers and that the necessary capacity is available, with the details of any known impacts on rates or availability for other users. In addition to these requirements, documentation of the projected annual electricity demand and supply source(s) should be provided. The Township should also require applicants to document efforts made to maximize the use of renewable and/or clean energy for their electrical and cooling needs, either through on-site generation or verifiable power purchase agreements. These efforts ‘reduce greenhouse gas emissions’ and ‘promote energy conservation’ (of Policy 3.4).
 - **Back Up Power:** The ordinance should specify that any backup power equipment minimize air pollutant emissions in accordance with EPA Tier 4 emissions standards and require annual testing to minimize air quality impacts (of Policy 3.2). Detailed specifications on emissions controls and fuel storage safety measures such as spill-prevention and secondary containment should also be included to ensure public health and environmental safety.

- o **On-site Energy Generation:** The LVPC recommends including provisions for on-site power generation uses such as fuel-cell power stations, geothermal, and solar photovoltaics. These are viable alternative and supplemental energy options for technology-based land uses which are highly energy-consumptive. By regulating on-site energy generation, the Township can further ‘integrate efficiency measures and emerging technologies’, ‘improve the utility and mobility infrastructure of the region’ (of Policy 1.1), and ‘minimize and mitigate the impacts of utility expansion associated with technological advancements’ (of Policy 3.2).
- **Cooling:** As part of the conditional use approvals process, the applicant should specify the type of cooling method proposed, whether predominantly water-cooled or air-cooled, to ‘encourage an efficient development process’ (of Policy 1.4). Changes to the proposed cooling method after approval is granted will alter the required water/sewer and power requirements and change the required utility infrastructure to support it.
- **Sustainable Infrastructure/Building Design:** The LVPC recommends that the Township include provisions that encourage features like LEED certification and roof-mounted solar energy systems for Data Center buildings, which supports ‘sustainable building, site design and community design practices’ (of Policy 3.4).

Municipalities, when considering zoning ordinance amendments, should reasonably attempt to be consistent with *FutureLV: The Regional Plan*, as required by the Pennsylvania Municipalities Planning Code (MPC) [Article I§105, Article III§303, §304 & §306(a), Article VI§603(j)].

Sincerely,



Mary Grace Collins
Community and Regional Planner



CHRISTINA "TORI" MORGAN
Chair

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Vice Chair

PHILLIPS ARMSTRONG
Treasurer

BECKY A. BRADLEY, AICP
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March 13, 2026

Meredith Keller, Director of Community Development
Upper Macungie Township
8330 Schantz Road
Breinigsville, PA 18031

**Re: Automated Storage and Retrieval Systems – Zoning Ordinance Amendment
Upper Macungie Township
Lehigh County**

Dear Ms. Keller,

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, and we welcome your participation. Meeting participation details are below:

<p>LVPC Comprehensive Planning Committee Meeting:</p> <p>March 24, 2026, at 12:00 PM (Virtual) https://lvpc.org/lvpc-meetings</p>	<p>LVPC Full Commission Meeting:</p> <p>March 26, 2026, at 7:00 PM (In-person) 615 Waterfront Drive, Suite 201 LVPC Conference Center</p>
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The application amends the Upper Macungie Township zoning ordinance by including definitions and regulations for Vertical Automated Storage and Retrieval Systems (AS/RS) in the Light Industrial Park District (LI) and the Limited Light Industrial Park District (LI(L)).

Vertical Automated Storage and Retrieval Systems store and retrieve goods in a vertical configuration inside warehouses, distribution or industrial storage buildings. These technologically driven tools use a combination of mechanical components, robotics and other software controls to automatically place and retrieve items within a facility, reducing the need to manually navigate long aisles or pick items from high shelves. Including provisions for vertical AS/RS supports the goal of *FutureLV: The Regional Plan* to ‘promote next generation manufacturing and technology’ (of Policy 4.2) that supports rapid advancements in the way goods and services are moved.

The ordinance permits a maximum height limit of 120 feet for principal structures that are permitted to have vertical AS/RS, so long as it is accessory but integral to a

principal manufacturing use. The ordinance, as it stands, allows office buildings a maximum height of 150 feet in the LI and LI(L) Districts. The LVPC recommends the Township include design standards such as facade articulation and roofline and material variation for buildings of this type to 'promote context-specific design solutions' (of Policy 5.4) and break up the visual bulk of tall industrial buildings.

Municipalities, when considering zoning 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)].

Sincerely,

A handwritten signature in black ink, appearing to read 'MGC', is positioned above the typed name.

Mary Grace Collins
Community and Regional Planner



CHRISTINA "TORI" MORGAN
Chair

ARMANDO MORITZ-CHAPELLIQUEN
Vice Chair

PHILLIPS ARMSTRONG
Treasurer

BECKY A. BRADLEY, AICP
Executive Director

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March xx, 2026

Paige Stefanelli, Manager
Plainfield Township
6292 Sullivan Trail
Nazareth, PA 18064

**Re: Principal Solar Energy Systems – Zoning Ordinance Amendment
Plainfield Township
Northampton County**

Dear Ms. Stefanelli,

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, and we welcome your participation. Meeting participation details are below:

<p>LVPC Comprehensive Planning Committee Meeting:</p> <p>March 24, 2026, at 12:00 PM (Virtual) https://lvpc.org/lvpc-meetings</p>	<p>LVPC Full Commission Meeting:</p> <p>March 26, 2026, at 7:00 PM (In Person) 615 Waterfront Drive, LVPC Conference Center</p>
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The township proposes to amend Chapter 27, Zoning, to regulate solar energy systems, splitting them into two different definitions, accessory solar energy systems, which are less than 1,500 square feet generating electricity only for onsite use, and principal solar energy system which are above 1,500 square feet and includes grid scale solar energy systems. The proposal adds additional definitions to clarify elements of the regulations, allows the uses in specific zones, and add special exception requirements for principal solar energy systems.

Utility Scale Solar Energy Systems have been expanding across the U.S. and in Pennsylvania. While solar energy provides a benefit to communities, the interest to locate Utility Scale Solar Energy Systems in rural areas also poses adverse impacts on active agricultural operations and community open space goals. The LVPC is supportive of the Township in proactively regulating Utility-Scale Solar Energy Systems. Aspects of the Township’s proposed ordinance align with *FutureLV: The Regional Plan*, and the LVPC and offers the following recommendations to further improve upon the proposal:

Solar Array District Regulations

The amendment proposes permitting accessory solar energy systems for accessory use in every district except SW, solid waste processing and disposal. The LVPC commends the widespread allowance which can help promote smaller scale, individual use of solar panels and helps 'support renewable energy and diversification of sources' (of Policy 3.4). The LVPC recommends the township consider including the Solid Waste processing and disposal zone for accessory use. The impacts of the accessory solar energy system would be likely negated by the existing mitigation work done as a part of the landfill use, and would help 'support business practices that mitigate the effects of climate change' (of Policy 3.4)

Principle Solar Energy Systems Districts

The amendment also proposes allowing principal solar energy systems in the Farm and Forest District by special exception. The LVPC recommends the township consider including the Solid Waste Processing and Disposal district as a location where principal solar energy systems may be permitted by special exception. Principal solar energy systems have become a common reuse of capped landfill sites, and the Grand Central Landfill has been identified in the Environmental Protection Agency's RE-Powering America's Land Initiative, which encourages renewable energy development on current and formerly contaminated lands, landfills, and mine sites as viable locations for utility-scale photovoltaic power generation. The initiative estimates that the site could generate approximately 29.86 megawatts of energy.

Pathways to a Resilient Greater Lehigh Valley, the region's climate action plan, identifies the reuse of degraded sites such as capped landfills for solar energy as a key implementation action. The estimated 29.86 megawatts would reduce net carbon emissions by approximately 24,380 tons and could provide power to approximately 3,300 homes annually. By allowing principal solar energy systems within the Solid Waste Processing and Disposal district, the township could promote the long-term reuse of landfill sites by enabling such development within its zoning ordinance. Allowing principal solar energy systems in the Solid Waste Processing and Disposal district aligns with *FutureLV* by 'encouraging reuse, sustainable building, site design and community design practices' and 'support business practices that mitigate the effects of climate change' (of Policy 3.4) as well as 'encourage reinvestment in commercial areas' (of Policy 4.6).

Use Regulations

The LVPC commends the inclusion of a vegetative screening barrier to limit visibility and glare, helping to 'promote context-specific design solutions' (Policy 5.4). The LVPC recommends including, in §27-404.4, a requirement to use 'native, climate-adaptive, and carbon-sequestering landscaping' (of Policy 3.4) within buffer requirements and stormwater regulations.

The LVPC also commends the inclusion of Section 8, specifically §27-317(6)(C)(iv), which requires emergency lighting for safety and security. The LVPC recommends the township consider adding a provision requiring an emergency management plan coordinated with local police and fire departments to 'enhance planning and emergency response efforts among emergency management personnel' (of Policy 5.1).

Additionally, the LVPC commends the proposed amendments' protection of prime farmland, defined as properties consisting of 25 acres or more that are currently enrolled in Act 319 (Clean and Green), or that show evidence of agricultural use within the previous five years based on aerial imagery. The ordinance also prohibits development on land subject to conservation or

agricultural preservation easements. These provisions align with *FutureLV* Goal 3.3 to ‘preserve farmland to maintain rural character and provide open space.’

To further this goal, the LVPC recommends the township consider additional requirements for projects developed on farmland to preserve the nature of the land in the event of decommissioning, such as allowing principal structures to remain and requiring the restoration of agricultural productivity comparable to adjacent farmland and prior conditions. These amendments would further support *FutureLV: The Regional Plan* by ‘supporting effective farmland preservation techniques’ (of Policy 3.3).

The amendment should also consider agrivoltaics, where solar farms incorporate agricultural uses such as livestock grazing. Sheep grazing, in particular, has been shown to be effective, as sheep are small enough to avoid damaging panels while providing more efficient vegetation management than traditional pesticide-based methods. The LVPC recommends the township consider incorporating agrivoltaics into its regulations, as it ‘provides for the operational needs of regional farms’ and helps ‘retain and expand family farms’ (of Policy 4.4 & Policy 3.3), while aligning with the *FutureLV* projection of a ‘rise of new business models built on energy generation’ (Future Forces, p. 49).

Finally, the LVPC commends the proposed amendment for including provisions requiring applicants to coordinate critical approvals prior to establishing the permitted use, such as documentation of approval from the property owner (if different) and decommissioning plans if the solar facility does not produce electricity for one year. These requirements help ‘encourage an efficient development process that is responsive to regional needs’ by ‘facilitating discussion among residents, stakeholders, appointed officials, and elected representatives’ (Policy 1.4). The LVPC further recommends the township require documentation of the power purchase agreement (PPA), annual inspection reporting, and all required state and federal permits.

Municipalities, when considering zoning 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)].

Sincerely,



Jacob Weinberg
Community and Regional Planner



CHRISTINA "TORI" MORGAN
Chair

ARMANDO MORITZ-CHAPELLIQUEN
Vice Chair

PHILLIPS ARMSTRONG
Treasurer

BECKY A. BRADLEY, AICP
Executive Director

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March xx, 2026

Sharon Cifuentes, Secretary/Treasurer
Washington Township
1021 Washington Boulevard
Bangor, PA 18013

**Re: Solar Farms – Zoning Ordinance Amendment
Washington Township
Northampton County**

Dear Ms. Cifuentes,

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, and we welcome your participation. Meeting participation details are below:

<p>LVPC Comprehensive Planning Committee Meeting:</p> <p>March 24, 2026, at 12:00 PM (Virtual) https://lvpc.org/lvpc-meetings</p>	<p>LVPC Full Commission Meeting:</p> <p>March 26, 2026, at 7:00 PM (In Person) 615 Waterfront Drive, LVPC Conference Center</p>
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The township proposes to amend their zoning ordinance to add in definitions for principal solar energy systems (PSES) and outline conditions for its use by special exception.

Utility Scale Solar Energy Systems have been expanding across the U.S. and in Pennsylvania. While solar energy provides a benefit to communities, the interest to locate Utility Scale Solar Energy Systems in rural areas also poses adverse impacts on active agricultural operations and community open space goals. The LVPC is supportive of the Township in proactively regulating Utility-Scale Solar Energy Systems. Aspects of the Township’s proposed ordinance align with *FutureLV: The Regional Plan*, and the LVPC and offers the following recommendations to further improve upon the proposal:

Definitions

The LVPC recommends the township consider adding a definition for Accessory Solar Energy Systems to clearly delineate between systems used for commercial energy

generation and those intended for individual use. A key distinction between Accessory Solar Energy Systems and Principal Solar Energy Systems is that accessory systems are primarily utilized on-site, while principal systems generate energy for distribution to the power grid and use elsewhere. Accessory solar energy systems also have different impacts on adjacent land uses and should be subject to distinct design and supplemental requirements compared to principal solar energy systems. This addition would align with *FutureLV* by ‘supporting renewable energy and diversification of sources’ and ‘encourage an efficient development process that is responsive to regional needs’ (of Policy 3.4 & 1.4).

Use Regulations

The LVPC commends the inclusion of setbacks that align with the underlying zoning district, helping to ‘encourage an efficient development process that is responsive to regional needs’ (of Policy 1.4). The LVPC recommends the township consider requiring an additional setback from residential uses to ‘minimize the environmental impact of development’ (of Policy 3.2).

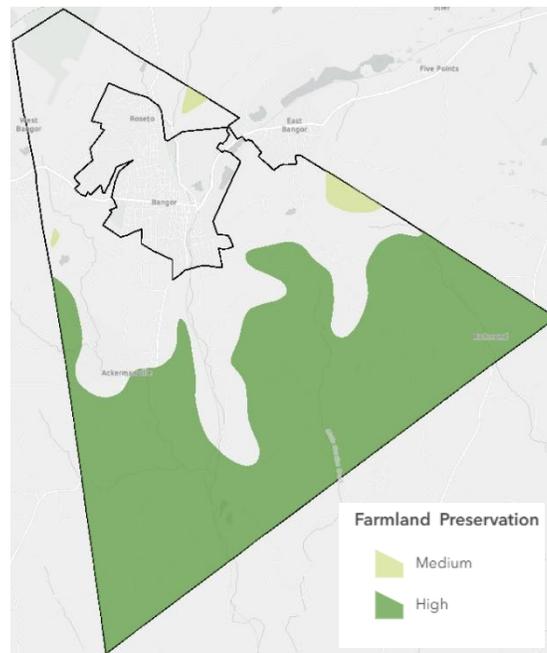
The Penn State Marcellus Center for Outreach and Research developed a Municipal Officials’ Guide to Grid-Scale Solar Development in Pennsylvania. This comprehensive resource provides best practices for municipalities regulating grid-scale solar development. One recommendation the LVPC suggests the township consider is establishing a maximum panel height between 10 and 20 feet to limit visibility from neighboring properties and ‘promote context-specific design solutions’ (of Policy 5.4).

The LVPC commends the inclusion of required fencing around the entirety of the site to ‘promote safe and secure community design’ (of Policy 5.1). To further this goal, the LVPC recommends the township consider adding a specific screening requirement for principal solar energy systems. This could include screening along all road frontages and residential property lines, as well as requirements for replacing dead or damaged plantings. A mix of trees, shrubs, grasses, and flowering plants can provide effective screening, with coniferous trees included for year-round coverage. The LVPC also recommends requiring ‘native, climate-adaptive landscaping’ (of Policy 3.4). Additionally, the township should consider requiring a glare study and mitigation measures to reduce glare to acceptable levels, as determined by a qualified engineer, to ‘promote context-specific design solutions’ (of Policy 5.4).

The LVPC commends the inclusion of access road and cartway requirements to support emergency access. The township should consider reducing the required width of access roads from 24 feet (two lanes) to 12 feet, which would still accommodate emergency vehicles while minimizing land disturbance and facilitating potential future agricultural reuse, thereby ‘supporting effective farmland preservation techniques’ (of Policy 3.3). The LVPC also recommends requiring an emergency management plan coordinated with and approved by police and fire services to ‘enhance planning and emergency response efforts among emergency management personnel’ (of Policy 5.1).

Additionally, the LVPC recommends the township consider requiring that inverters, transformers, batteries, and other noise-generating equipment associated with the system be located toward the center of the site to reduce impacts on adjacent uses. The township could also require a noise study and establish maximum sound thresholds. These measures would help ‘minimize the environmental impact of development’ (of Policy 3.2).

The LVPC commends the township’s inclusion of a requirement for a decommissioning plan at the end of the useful life of a principal solar energy system, helping to ‘promote sustainable stewardship of natural lands’ (Policy 3.1). The LVPC recommends the township consider adding a financial security provision as part of the decommissioning plan, such as a trust fund, escrow account, bond, or letter of credit, covering the cost of decommissioning minus salvage value as determined by a third party. This would ensure proper decommissioning and help ‘conserve and manage natural lands’ (of Policy 3.1).



LVPC GIS Mapping

FutureLV: The Regional Plan identifies significant portions of Washington Township as Farmland Preservation areas, which are predominantly agricultural and recommended to remain so. Appropriate uses include agriculture and related housing and businesses, parks and open space, and only limited non-agricultural housing. Accordingly, the LVPC recommends the township consider adding provisions to limit and regulate the development of principal solar energy systems within the A – Agriculture District as defined in the zoning ordinance in order to ‘preserve farmland of all sizes, when possible (of Policy 3.3).

One approach would be to define “prime” farmland, such as land enrolled in Act 319 (Clean and Green) or subject to conservation or agricultural preservation easements, and restrict development on those parcels while allowing principal solar energy systems on less productive agricultural land. The township could also consider requirements to facilitate the return of land to agricultural use following decommissioning. These may include allowing more than one principal structure to remain on formerly agricultural properties and requiring restoration of soil quality to its original condition or to a level comparable with adjacent farmland. These measures would further support *FutureLV: The Regional Plan* by ‘supporting effective farmland preservation techniques’ (of Policy 3.3).

The amendment should also consider agrivoltaics, which allow solar farms to incorporate agricultural uses such as livestock grazing. Sheep grazing, in particular, has proven effective, as sheep are small enough to avoid damaging panels while providing efficient vegetation management compared to pesticide-based methods. The LVPC recommends incorporating agrivoltaics into the ordinance, as it ‘provides for the operational needs of regional farms’ and helps ‘retain and expand family farms’ (of Policy 4.4 & Policy 3.3), while aligning with the *FutureLV* projection of a ‘rise of new business models built on energy generation’ (Future Forces, p. 49).

The LVPC commends the proposed amendment for including provisions requiring applicants to coordinate critical approvals prior to establishing the permitted use, such as documentation of approval from the property owner (if different), decommissioning plans if the system ceases production for one year, and agreements with the utility for the purchase of generated energy. These provisions help ‘encourage an efficient development process that is responsive to regional needs’ by ‘facilitating discussion among residents, stakeholders, appointed officials, and elected representatives’ (of Policy 1.4). The LVPC recommends also requiring documentation of annual inspection reports and all necessary state and federal permits.

Minor Ordinance Recommendations

The LVPC notes an error in Section D, which references a conditional use permit, whereas principal solar energy systems are permitted by special exception.

Municipalities, when considering zoning 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)].

Sincerely,



Jacob Weinberg
Community and Regional Planner



CHRISTINA "TORI" MORGAN
Chair

ARMANDO MORITZ-CHAPELLIQUEN
Vice Chair

PHILLIPS ARMSTRONG
Treasurer

BECKY A. BRADLEY, AICP
Executive Director

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March xx, 2026

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

**Re: Solar Farms – Zoning Ordinance Amendment
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, and we welcome your participation. Meeting participation details are below:

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The township proposes to amend Chapter 200 entitled “Zoning” for solar farms which they define as the primary land use of a parcel where the installation of a solar array with the energy generated is being sold back to the electrical grid rather than being consumed on site. The proposal also would amend the districts where Solar arrays, solar farms, and wind turbines, and amend the use regulations in §200-28 for industrial uses specifically for solar farms.

Utility Scale Solar Energy Systems have been expanding across the U.S. and in Pennsylvania. While solar energy provides a benefit to communities, the interest to locate Utility Scale Solar Energy Systems in rural areas also poses adverse impacts on active agricultural operations and community open space goals. The LVPC is supportive of the Township in proactively regulating Utility-Scale Solar Energy Systems. Aspects of the Township’s proposed ordinance align with *FutureLV: The Regional Plan*, and the LVPC and offers the following recommendations to further improve upon the proposal:

Solar Array District Regulations

The application proposes amending the allowed uses within the EC-2 Employment Center/Landfill District and specifies that solar arrays atop existing industrial buildings shall be permitted as a conditional use. Chapter 200 already defines Solar Arrays under §200-7 and permits them as an accessory use under §200-28(H)(16). The LVPC recommends clarifying the relationship between this definition, the accessory use provision, and Solar Farm use.

A solar farm incorporated into the roof of an existing industrial building would have lower environmental impacts by utilizing existing large-scale impervious surfaces and taking advantage of the more restrictive regulations applied to an industrial site capable of supporting a solar farm, thereby limiting its overall impact.

These changes would better align with *FutureLV: The Regional Plan* by ‘minimizing the impact of Land Uses of Regional Significance’ and ‘support renewable energy and diversification sources’ (of Policy 1.4 & Policy 3.4).

Use Regulations

The LVPC commends the inclusion of a vegetative screening barrier to limit visibility and glare, helping to ‘promote context-specific design solutions’ (of Policy 5.4). The LVPC recommends including, in §200-28(24)(a)(4), a requirement to use ‘native, climate-adaptive, and carbon-sequestering landscaping’ (of Policy 3.4) within buffer requirements and stormwater regulations.

The LVPC also commends the inclusion of §200-28(24)(a)(10), which ensures emergency management access to the panels, and §200-28(24)(b)(8), which requires an emergency management plan for use by police and fire personnel to ‘enhance planning and emergency response efforts among emergency management personnel’ (Policy 5.1).

Additionally, the LVPC commends the proposed amendments’ protections for farmland. Agricultural lands are often targeted for large-scale solar due to their already cleared conditions and larger parcel sizes, which can accommodate more panels. The amendment allows solar farms, after decommissioning, to be converted back to farmland and permits any converted farmland to retain its existing structures on-site, bypassing requirements for a single principal structure. As part of the decommissioning process, the amendment would also require the land to be restored to a condition where productive agricultural uses can resume at levels comparable to nearby similar farmland. These provisions further support *FutureLV: The Regional Plan* by ‘supporting effective farmland preservation techniques’ (Policy 3.3).

The amendment also considers agrivoltaics, allowing solar farms to incorporate agricultural uses such as livestock grazing. Sheep grazing, in particular, has been found

to be effective, as sheep are small enough to avoid damaging panels while providing efficient vegetation management compared to traditional pesticide-based methods. The LVPC commends the township for incorporating agrivoltaics, as it 'provides for the operational needs of regional farms' and helps 'retain and expand family farms' (of Policy 4.4 & Policy 3.3), while aligning with the *FutureLV* projection of a 'rise of new business models built on energy generation' (Future Forces, p. 49).

Finally, the LVPC commends the proposed amendment for including multiple provisions requiring applicants to coordinate critical approvals prior to establishing the permitted use. These include documentation of approval from the electric utility, the property owner (if different), all required state and federal permits, coordination with the Federal Aviation Administration and/or the Lehigh-Northampton Airport Authority to avoid impacts on Braden Airpark, annual inspection reports, and decommissioning plans if the solar farm does not produce electricity for one year. These requirements help 'encourage an efficient development process that is responsive to regional needs' by 'facilitating discussion among residents, stakeholders, appointed officials, and elected representatives' (of Policy 1.4).

Municipalities, when considering zoning 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)].

Sincerely,

A handwritten signature in black ink, appearing to read "Jacob Weinberg". The signature is fluid and cursive, with the first name being more prominent.

Jacob Weinberg
Community and Regional Planner



CHRISTINA "TORI" MORGAN
Chair

ARMANDO MORITZ-CHAPELLIQUEN
Vice Chair

PHILLIPS ARMSTRONG
Treasurer

BECKY A. BRADLEY, AICP
Executive Director

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March xx, 2026

Patricia Lang, Director of Community Development
Upper Saucon Township
5500 Camp Meeting Road
Center Valley, PA 18020

**Re: Planned Residential Development Zoning Ordinance Amendment
Upper Saucon Township
Lehigh County**

Dear Ms. Lang,

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, and we welcome your participation. Meeting participation details are below:

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The application proposes amending the townships zoning ordinance to add planned residential development as a permitted use by right in the township’s enterprise overlay zoning district. The application also proposes regulations on the design and governance of the use.

Planned Residential Developments (PRDs) have been expanding across the United States and within Pennsylvania. While Traditional Neighborhood Developments have been the standard for large-scale residential development in non-urbanized areas, they often contribute to housing sprawl, requiring additional roadway infrastructure and land consumption, while separating population centers from amenities and increasing dependence on automobiles. PRDs, by contrast, allow for greater density than the underlying zoning in exchange for increased green space and common open space. The LVPC supports the Township’s proactive approach to regulating PRDs. Many aspects of the proposed ordinance align with FutureLV: The Regional Plan, and the LVPC offers the following recommendations to further strengthen the proposal:

PRD Design Goals

The LVPC commends the inclusion of key design elements, particularly a street and trail network that provides convenient routes for pedestrians, cyclists, and transit, helping to ‘establish mixed-transportation corridors’ (of Policy 2.1). To further this goal, the LVPC recommends the Township consider how to better incorporate public transit into PRDs. The Lehigh and Northampton Transportation Authority (LANTA) operates a bus route along Center Valley Parkway, directly adjacent to the Enterprise Opportunity Zone where PRDs are permitted. This presents an opportunity to integrate existing transit service into PRD design. As part of the tentative planning process, applicants should be required to coordinate with LANTA to incorporate public transportation where feasible.

Required Size, Density, and Access

The LVPC *Traditional Neighborhood Development Guidance Document* outlines recommended unit densities based on desired community character. It suggests 6–10 units per acre for semi-detached housing and 8–15 units per acre for attached and multi-family dwellings. For a more suburban character, densities would trend toward 6–7 units per acre for semi-detached units and approximately 8 units per acre for attached and multi-family dwellings.

The proposed amendment introduces varying intensity zones to regulate impervious surface coverage, setbacks, and building height within PRDs. This framework could also be applied to density, with higher-intensity areas permitting greater density than lower-intensity areas. The Township could further refine density standards based on housing type, as a six-unit multi-family building has different impacts than six single-family attached units.

Across all considerations, the LVPC recommends maintaining density incentives, as they align strongly with FutureLV: The Regional Plan. These incentives promote open space preservation, trail integration, and improved walkability, such as through rear-loaded roadways, which ‘create community spaces that promote physical and mental health’ (of Policy 5.3). FutureLV also supports increased density to protect open space, strengthen business districts through increased foot traffic, leverage infrastructure investments, and support transit-oriented development (Density Special Section, p. 71).

The LVPC also recommends clarifying Subsection 7 of §496.E regarding conversion to specify what the 10 percent conversion limit applies to.

Required Open Space Provisions

The LVPC commends the requirement that a minimum of 35% of the total site be dedicated to open space, particularly the protection of natural, historical, and archaeological resources. This aligns with FutureLV by ‘promoting development that complements the unique history, environment, culture, and needs of the Valley’ (Policy 5.4). The LVPC also supports the requirement that common open space be accessible via public streets or pedestrian/bicycle networks, helping to create ‘an interconnected street, sidewalk, and trail network’ (of Policy 2.2).

The LVPC further commends the provision allowing certain stormwater management facilities to count toward open space requirements, supporting green infrastructure. This is reinforced by the requirement that stormwater management plans comply with the Township's Act 167 Ordinance, helping to 'manage the rate, volume, and quality of stormwater runoff' (of Policy 3.2).

Permitted uses in the PRD

The LVPC recommends the Township consider expanding permitted uses to include two additional categories. First, essential neighborhood services, such as banks and commercial daycare facilities, that residents would benefit from within walking or biking distance, helping to 'increase social and economic access to daily needs for all people' (of Policy 5.2). Second, uses compatible with PRD character but not currently permitted, such as bed-and-breakfast establishments or places of worship.

The LVPC also recommends including a provision requiring any uses not explicitly permitted to be included in the PRD tentative and final plans for review and approval by the Board of Supervisors, thereby 'facilitating discussion among residents, stakeholders, appointed officials, and elected representatives' (of Policy 1.4).

Parking Requirement

The LVPC recommends the Township consider reducing parking requirements for certain residential units, particularly in low- to medium-intensity areas, while incorporating design features that support on-street parking, such as adequate roadway width for parking on both sides.

On-street parking reduces impervious surface associated with off-street lots and lowers construction and maintenance costs, helping to 'minimize the environmental impact of development' and 'diversify price points and types of available housing' (of Policy 3.2 & Policy 4.5). It also contributes to traffic calming, as drivers tend to reduce speed, improving pedestrian safety. Additionally, on-street parking provides a buffer between pedestrians and travel lanes, supporting goals to 'implement complete streets and traffic calming measures' and 'reduce bicycle and pedestrian fatalities toward zero' (of Policy 5.1).

The LVPC commends the inclusion of provisions allowing shared parking across uses. In higher-intensity areas, structured parking may be more feasible, with shared costs among users, helping to 'expand capacity only in areas recommended for development' (of Policy 2.6).

Finally, the LVPC commends the proposed amendment for requiring applicants to coordinate critical approvals prior to establishing a PRD. These provisions help 'encourage an efficient development process that is responsive to regional needs' by 'facilitating discussion among residents, stakeholders, appointed officials, and elected representatives' (of Policy 1.4). The LVPC recommends the Township consider adding a requirement for an emergency management plan coordinated with police and fire

services to 'enhance planning and emergency response efforts among emergency management personnel' (of Policy 5.1).

Municipalities, when considering zoning 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)].

Sincerely,

A handwritten signature in black ink, appearing to read "Jacob Weinberg". The signature is fluid and cursive, with the first name being more prominent.

Jacob Weinberg
Community and Regional Planner