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CITY OF BETHLEHEM

Department of Community and Economic Development Interoffice Memo

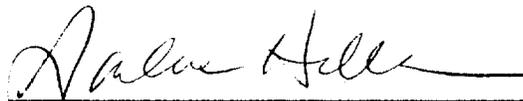
TO: Robert Donchez, City Council President
FROM: Darlene L. Heller, Director of Planning and Zoning
RE: Street Vacation for portions of North Street, Marshall Street and Clinton Street

The Planning Commission voted 3 to 0 with one abstention to recommend approval of the above-noted street vacation as submitted by Nitschmann LLC with the conditions noted in the attached Planning Bureau memo dated December 29, 2008.

Please let our office know if you have any questions or need additional information on this matter.

CC: City Council members
J. Spirk
C. Spadoni
T. Hanna
M. Alkhal
C. Bartleson

DATE: 1-13-09



Darlene L. Heller
Director of Planning and Zoning

CITY OF BETHLEHEM

Department of Community and Economic Development Interoffice Memo

To: Planning Commission Members

From: Christine Bartleson, AICP, Planning Bureau

Re: Vacation of portions of North Street, Marshall Street and an unnamed 15' Alley

Attached for your reference is the appeal filed by Nitschmann, LLC for the above-referenced street vacation. Nitschmann, LLC is now the owner of various contiguous parcels of land located at the northeast corner of the Broad Street/ Stefko Boulevard intersection. The subject area was formerly known as Minsi Trail Farm.

As indicated on the Minsi Trail Site map (marked as Exhibit C), the applicant proposes that the City vacate the following paper streets: North Street from Stefko Boulevard east toward the former railroad right-of-way; Marshall Street along the eastern side of the Nitschmann, LLC property northward to the railroad ROW; and a 15' wide alley running north/south approximately in the center of the subject property. Also requested is a small area of right-of-way on the eastern side of the abandoned railroad bed. The approximately 100' length of North Street proposed for vacation is paved and serves as access to two commercial buildings, namely the former Krick's Bakery and Taylor Rental. The paper streets have not been opened for a period of time in excess of 21 years, so the City has lost any public rights to this right-of-way. The topography is also challenging, with a substantial downward slope eastward from Stefko Boulevard. The numerous parcels in single ownership will ultimately be merged into one or more parcels for the purpose of development.

You will find attached Affidavits of Ownership which have been executed by contiguous property owners Milton A. Smith, James Hahn and Engleman Associates which object to closing the portion of Marshall Street and East North Street which are east of the abandoned railroad bed. This section of the street grid is utilized to enable access to the SmithHahn Company and Bethlehem Precast businesses.

RECOMMENDATION

Our office recommends that the Planning Commission forward a favorable recommendation to City Council on the proposed street vacation with the following conditions:

1. That North Street and Marshall Street shall be deleted from the application and map east of the 50' former railroad right-of-way. This area is identified with "15" on the map as submitted

2. That Marshall Street and the unnamed 15' wide alley shall be vacated to their full width north and south of the railroad right-of-way, and Exhibit C shall be revised accordingly.
3. A legal description of each of the areas to be vacated shall be submitted, to reflect the full width of the paper roads.
4. Any existing utilities will require that easements be granted to the respective owners.
5. All comments of the Public Works Department shall be addressed.

This item is placed on your January 8, 2009 agenda for consideration and recommendation to City Council.

Date: December 29, 2008


Chris Bartleson, AICP
Community Planner

Cc: M. Alkhal
M. Dornier
T. Hanna
J. Kelly
W. Matz, Jr.