
**MEETING MINUTES
PLANNING COMMISSION BOARD
AUGUST 25, 2026**

MEMBERS PRESENT

Robert Melosky, Chairman
Matthew Malozi, Vice Chairman
Eddie Burgos
Richard Pongracz

VISITORS PRESENT

Janet Barry, 2815 Shakespeare Road
David Ronca
Victor Scomillio, Esq., Holzinger, Harak and
Scomillio
Naser Kodza
Christopher Zajacek, Grace Realty
Michael DeCrosta, 914 Walters Street
Scott Culpepper, 2325 Santee Mill Road

MEMBERS ABSENT

Joy Cohen

STAFF PRESENT

Matthew Deschler, Solicitor
Laura Collins, Director of Community and
Economic Development
Cathy Fletcher, Bureau of Planning and Zoning
Craig Peiffer, Bureau of Planning & Zoning
Dylan Schlosser, Bureau of Engineering
Stephany Sebesta, Secretary
Edward Boscola, Director of Water and Sewer
Resources

The August 25, 2026, meeting of Planning Commission held at the City of Bethlehem Town Hall, was called to order by Chairperson, Robert Melosky at 5:00 PM.

AGENDA ITEM #1: APPROVAL OF MINUTES August 25, 2026

Motion #1: Mr. Malozi made a motion to approve the minutes as submitted.

Second: Mr. Pongracz

Result of Vote: The motion carried 3-0-1. Mr. Burgos abstained.

AGENDA ITEM #2: ZONING TEXT AMENDMENT

Proposed Work: Zoning Ordinance Amendments to amend Article 1302.35 to add definition of Data Center, Article 1305.01e to allow for Data Centers as a Special Exception in the Industrial (IN) District, and Article 1322.03(q) to establish regulations regarding Data Centers.

Discussion: Ms. Fletcher gave a brief overview of the proposed Zoning Text Amendment. Data Centers fall under the "industrial" land use category and will be permitted in the Industrial (IN) District under a special exception granted by the Zoning Hearing Board. At the time a Land Development plan is submitted, the Applicant must

also submit; studies, evaluations, assessments and strategies showing the impact on the environment and their plan to protect it. Setbacks for the front, side and rear yard have increased to 80ft. If near residential or existing sensitive receptor buildings have a 1,000ft setback. The maximum height of a data center would be 80ft and lot coverage percentage decreased from 65%.

Mr. Melosky asked for more detail on the decommission of old data centers. Ms. Fletcher stated the burden and cost of the decommission will be on the developer. The proposed Zoning Text Amendment will require the developer to submit an electronic waste and decommissioning plan when submitting for a proposed data center. Mr. Melosky asked what would occur if the noise decibels went above the allowed range. Attorney Deschler replied that the Developer would be issued an enforcement notice by the Zoning Officer and the Developer has a time frame to resolve the violation. The Developer has the right to appeal the enforcement notice, and the case would be heard by the Zoning Hearing Board. If the appeal is denied or the violation is not resolved, the City then could file a complaint with the magistrate, and the Developer will be issued a fine of \$500 fines a day for up to \$12,000. Mr. Melosky asked if there was a follow-up procedure after fines are issued; if the noise decibels were above range. Attorney Deschler explained that when a complaint is filed with the magistrate for a Zoning violation, a fine could be collected and a lien placed on the property. There are provisions in the Ordinance for the City to require post-construction sound studies, and the property owner must do additional testing at the direction of the City based upon a reasonable complaint or evidence of changed operations.

Mr. Malozi asked for clarification on the setbacks. Ms. Fletcher stated the current setbacks in the IN District are 20ft and the proposed Text Amendment would require an 80ft setback for Data Centers. Mr. Malozi asked if the 200ft setback noted was for others Districts outside of the IN District. Ms. Fletcher explained that Residential Districts will have a 1,000ft setback while a 200ft setback for non-Residential Districts. Mr. Malozi asked if the 1,000ft setback for Residential Districts pertains to neighboring municipalities Residential Districts. Attorney Deschler stated municipalities' Zoning Ordinance does not have extra jurisdictional effect of other municipalities. Mr. Melosky asked if it would be appropriate to measure the lot line with adjoining municipalities. Attorney Deschler replied that a measurement from the lot line would be appropriate and added that a City's Zoning Ordinance should not be based on adjoining municipalities. Mr. Malozi asked if the 1,000ft setback is not restrictive and can be successfully challenged. Attorney Deschler replied the IN District does not touch many Residential Districts and the 80ft and 200ft setback will be utilized more. There are large lots on the Zoning District that can accommodate the setbacks in the Zoning Ordinance.

Public Comment: Ms. Barry, 2815 Shakespeare Road, voice her concerns of increased electric use by data centers and asked if solar panels of roofs could be an option. If solar panels are not an option, have the Developer add more green space on the properties. Ms. Barry also spoke of the water usage and stated water used by data centers does not go back into the ground compared to other facilities.

Mr. Boscola stated the high-water usage of data centers is primarily to cool the systems. The City has adequate water resources and a water use evaluation is done for any

large customer. Wastewater management plans must be submitted at the time of Land Development submission and must be approved prior to construction.

Mr. Melosky stated he supports treating the data centers as a Special Exception in the Industrial District and the 1,000ft setback from residential districts.

Mr. Fletcher stated that the Zoning Text Amendment will be heard by City Council on October 6th and that if Land Development for a Data Center is submitted prior to the Amendment, the plans would be reviewed under the old Zoning Ordinance.

Motion #2: Mr. Malozi made a motion to favorably recommend the Zoning Text Amendment to City Council.

Second: Mr. Burgos

Result of Vote: The motion carried 4-0.

AGENDA ITEM #3: SKETCH PLAN

Property Location: 1438 Stefko Boulevard

Property Owner: Estate of Fred Ronca

Developer/Engineer: 1438 Stefko Partners, LLC

Proposed Work: The Applicants propose to demolish all structures and construct a three-story structure containing 18 studio apartments, six per floor, ranging in size from 478-488 SF, and defined as workforce-focused apartments. The Applicants also propose 17 off-street parking spaces, nine head-in/back-out on Croft Street and eight head-in/back-out on Peters Street, dumpster pad accessed from Peters Street and other site appurtenances.

Discussion: Attorney Scomillio and Mr. Ronca gave a brief overview of the Sketch Plan. The proposed efficiency apartments are targeted for singles, couples, or retirees. Mr. Ronca stated zoning relief is needed for lot density, parking spaces and variance to not have commercial space on the first floor as required in the CG (General Commercial) District. Mr. Ronca explained 17 parking spaces are proposed because the intent of the apartments is for one to two people and some may not even own vehicles. If more parking is needed, Mr. Ronca stated there is enough on-street parking. There are also LANTA bus stops near the site that would be utilized by the tenants.

Mr. Ronca explained that there is not a large market for commercial space for small businesses. If there was commercial space, there would be no parking due to the layout of the property.

Mr. Peiffer spoke about the City's review letter and highlighted key points. One of the main comments in the letter was that density relief must be sought from the Zoning Hearing Board. The City commends the Applicant for the workforce style housing. Mr. Peiffer explained the requirements are not met for workforce housing under the ordinance. The City's sanitary engineer indicated there will be a tap fee for the project the stormwater engineer asks for a report if more than 10,000 SF of disturbance and there may be a stormwater escrow fee, a study of the curbing and sidewalk must be conducted to see if replacement is needed, the traffic engineer requires calculations

to determine if any additional traffic improvements are required. Stefko Boulevard is a main road, and the traffic engineer may ask for safety improvements. The Forester requires a landscape plan and the City's electrician needs a lighting plan for lighting on Croft and Peter Streets and at the entry of the building. Comments from the Fire Marshal stated that the location of fire department connections and fire department access roads, and lastly if the building will be sprinkled. Mr. Peiffer explained there is dumpster enclosure on the plans, but the Recycling Department requires more information for approval. Zoning comments focused on workforce housing. Lastly, general comments indicate there will be a Rec Fee that must be paid, there is sidewalk on the renderings but do not appear of the plans. Pedestrian connectivity is encouraged as there are LANTA bus stops near the site.

Mr. Melosky asked for an example of what the rent be for affordable housing. Ms. Collins explained the Department's definition of affordable housing. If a person spends no more than 30% of their income on housing and from there the area median income. To be considered affordable housing, 80% of the median income is calculated and 30% of would be the annual rent. If the median income is \$65,00 the affordable monthly housing rent would be \$1,300. Ms. Collins stated there are multiple programs such as the low-income housing credit program, and they target even more deeply affordable units. Mr. Ronca agreed with Ms. Collins. Ms. Collins encouraged the Applicant to speak with City staff who regularly work with programs focused on affordable housing. Attorney Scomillio added that the dwelling units typically are priced by square footage and market price falls into that price without falling under the definition of affordable housing. Mr. Melosky asked if the Applicant is aware their proposed plan does not meet the requirements. Attorney Scomillio stated they are aware and will be heard by the Zoning Hearing Board. Mr. Melosky asked if the Applicant is willing to comply and work with City staff and address the comments in the review letter. Attorney Scomillio replied that his client will review the letter but does not believe there will be an issue with addressing all comments. Mr. Melosky asked about the amount of parking required and what is proposed. Mr. Peiffer answered 1.75 parking spots per unit are required when there is no off-street parking available which total 32 spaces for this site. The parking proposed is 17 spaces which requires Zoning Hearing Board.

Mr. Malozi voiced his concerns about the density of the proposed plan and stated most of the zoning relief is required due to density. To rely on on-street parking tends to show the site is not meant to have that much density. Mr. Malozi believes limited commercial in that space is feasible as there are small businesses in the surrounding area. A landlord cannot legally stop a tenant from having more than two people in a unit. When plans are reviewed, it cannot be assumed a tenant will not have a car. Mr. Malozi suggests scaling back the building and including mixed use. Mr. Ronca stated to make this feasible, 18 units are needed. Mr. Ronca stated he believes that a landlord can state a unit can only have 1-2 tenants which is Mr. Kodxa's intention.

Mr. Pongracz talked about the parking and stated the off-street parking would be impeding in other neighborhoods. Mr. Ronca explained he has multiple properties that have tenants that do not own cars nor has he had any issues with parking throughout his career.

Mr. Burgos asked if Croft Street should become a right turn only for safety. Mr. Ronca explained that is the City's decision but believes it would be beneficial.

Public Comment: Michael DeCrosta, 914 Walters Street, voiced his concerns about parking. He owns a business on Stefko Boulevard and leases parking. He is concerned those spots would be taken by tenants. A new daycare is also about to open on Marvine Street which may cause more parking issues if the units are built with only 17 parking spaces. Mr. DeCrosta asked if a written objection could be admissible. Mr. Melosky replied that when the plan comes for final approval that would be the time to attend or an email can be sent in and read. Mr. Peiffer added that if Mr. DeCrosta signs up, Ms. Sebesta will inform him of the upcoming meetings. Mr. Ronca stated that he is willing to sit down with Mr. DeCrosta and others to discuss their concerns. Mr. DeCrosta mentioned that some of the parking places Mr. Ronca pointed out are 1 hour only Monday through Saturday, which can cause issues. There is a church just south of the site and parking is congested during that time and daycare facility with kids running around during the day. Mr. DeCrosta is concerned about parking and the safety of pedestrians.

Mr. Zajacek, Grace Realty, stated HUD guidelines allow the landlord to limit a one-bedroom apartment to only contain two people. Mr. Zajacek states there is not a large market for small commercial spaces and taking away the first-floor dwelling units, eliminates options for elderly people who cannot do stairs.

Mr. Malozi asked if the proposed project was funded by HUD in any manner. Mr. Ronca replied that it will all be privately funded. Mr. Malozi asked if HUD regulations would still apply in limiting the number of tenants in a unit. Attorney Scomillio explained a landlord can cap the number of tenants at any time. Mr. Zajacek stated that HUD allows guidelines that allow a landlord to state two people per bedroom, all states must follow HUD guidelines even if the units are not HUD.

Mr. Melosky asked if the Applicant had any issues adding conditions into the lease limiting the number of tenants allowed in a unit along with rent costs and a timeline. Mr. Ronca responded he had no issues with including conditions. Mr. Zajacek added that if first-floor apartments are allowed by the Zoning Hearing Board, they will likely be rented by elderly people who do not own cars, and he does not believe that parking will be an issue.

Scott Culpepper, 2325 Santee Mill Road, asked if there has been an update to the Autumn Estates project that has been proposed. Mr. Peiffer explained that the Bethlehem Township Planning Commission has approved all waivers except for the interpretation of a cul-de-sac and the number of dwellings in the cul-de-sac. The decision will be made by the Bethlehem Board of Commissioners for approval in October.

AGENDA ITEM #4: DISCUSSION ITEMS

Mr. Peiffer reviewed the upcoming Agenda items.

There being no further business, upon a Motion by Robert Melosky, a Second by Matthew Malozi, and a unanimous vote, the meeting was adjourned at 6:50 PM.

ATTEST:

Craig D. Peiffer, Commission Secretary