



February 4, 2026

Andrew Miller, Executive Vice President
North Star Construction Management, Inc.
Two City Center

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[REDACTED]

[REDACTED]

Re: 321-327 S. New Street, Bethlehem, PA - 25191-0408

Dear Andrew:

Based on a review of DCI Engineers' analysis of the exterior wall at 321–323 S. New Street, the following International Building Code (IBC) considerations apply to its incorporation into the proposed development.

The existing façade is approximately 32–35 feet in height and consists of 8-inch double-wythe brick construction with a glass storefront, aluminum windows, and wood framing, as documented in the DCI Engineers report. The proposed project is a seven-story mixed-use building, comprising ground-floor retail with six stories of residential units above.

In accordance with the 2021 IBC (PA Edition), several factors must be evaluated to determine the construction type of the proposed development:

- I. Section 302 & 310: Use Groups: (A-2 Retail) & (R-2 Apartments)
- II. Section 504: Building Height and Number of Stories (7-stories, 78'-8")
- III. Section 506: Building Area (6,475 SF max floor area)

Occupancy classifications govern allowable building height, number of stories, and floor area, which in turn determine the required construction type. Under the IBC, the proposed development would consist of a five-story Type IIIB structure over a two-story Type IA podium, separated by a three-hour horizontal assembly at the third floor. As a result, the existing wall would be required to comply with multiple construction types at their interface, significantly increasing complexity and potentially compromising structural integrity.

The following code-related considerations would impact the incorporation and rehabilitation of the existing exterior wall:

[REDACTED]

- I. Section 602.2: Types I and II construction are those types of construction in which the building elements are of **noncombustible** materials.
 - a. Any combustible material within the existing wall would need to be removed and replaced with noncombustible materials.



- b. Since the existing wall spans both construction types (Type I-A and Type III-B) the bottom two-thirds of the wall would need to meet the requirements of Type I-A construction.
- II. Section 602.3: Type III construction is that type of construction in which the **exterior walls are of noncombustible materials** and the interior building elements are of any material permitted by this code.
- a. Any combustible material within the existing wall would need to be removed and replaced with noncombustible materials.

III. Table 601:


TABLE 601 FIRE-RESISTANCE RATING REQUIREMENTS FOR BUILDING ELEMENTS (HOURS)

BUILDING ELEMENT	TYPE I		TYPE II		TYPE III	
	A	B	A	B	A	B
Primary structural frame ^f (see Section 202)	3 ^{a, b}	2 ^{a, b}	1 ^b	0	1 ^b	0
Bearing walls						
Exterior ^{a, f}	3	2	1	0	2	2
Interior	3 ^a	2 ^a	1	0	1	0
Nonbearing walls and partitions Exterior					See Table 602	
Nonbearing walls and partitions Interior ^d	0	0	0	0	0	0
Floor construction and associated secondary members (see Section 202)	2	2	1	0	1	0
Roof construction and associated secondary members (see Section 202)	1 1/2 ^b	1 ^{b, c}	1 ^{b, c}	0 ^c	1 ^{b, c}	0

- a. Due to the structural reconstruction and anchoring the existing wall will need, this likely will require it to be bearing on the primary structure of the proposed building.
 - b. If this is required, the existing exterior wall in the Type-IA portion would need to be rated 3-hours with the upper portion rated 2-hours.
- IV. Table 716.1(3): Fire Rated Window Requirements. Exterior walls rated >3 hours need a minimum window fire rating of 90 min.
- a. The existing windows are likely not rated and need to be fully replaced, further compromising the existing integrity and structure of the wall.

In conclusion, retaining the existing three-story wall presents significant structural issues, as identified in the DCI Engineers report. In addition, incorporating the wall into the proposed development introduces construction and fire-safety challenges. Substantial modifications would be required to bring the wall into compliance with current building codes and to integrate it with the new construction.

Respectfully,



Paul R. Swartz, AIA, PP
Chairman of the Board