
MEETING MINUTES
PLANNING COMMISSION BOARD
MAY 8, 2025

MEMBERS PRESENT

Robert Melosky, Chairman
Matthew Malozi, Vice Chairman
Eddie Burgos

VISITORS PRESENT

Drew Nyman, Base Engineering
Gary Lader, 4/4 Architects
Joseph J. Piperato, III Esq., Eastburn & Gray
Fred Chamberlain, 807 W Broad St
Kathleen Russo, 548 8th Ave
Kathy Bulman, 534 8th Ave

MEMBERS ABSENT

Thomas Barker
Joy Cohen

STAFF PRESENT

Matthew Deschler, Solicitor
Craig Peiffer, Bureau of Planning & Zoning
Basel Yandem, Public Works

The May 8 2025, 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 April 10, 2025

Motion #1: Mr. Malozi

Second: Mr. Burgos

Result of Vote: The motion carried 3-0.

AGENDA ITEM #2: LAND DEVELOPMENT AND SUBDIVISION

Property Location: 817, 821-823 West Broad Street

Property Owner: Spinozzi 2, LLC

Developer/Engineer: Base Engineering, Drew Nyman

Proposed Work: The Applicant proposes to consolidate both parcels. The Applicant proposes to convert 817 W. Broad Street into four dwelling units and convert 821-823 W. Broad Street into seven dwelling units. The applicant proposes to maintain the accessory garage located behind 817 W. Board St. and install 9 surface parking spaces and a dumpster pad. The applicant proposes to demolish the accessory garage located behind 821-823 W. Broad St. and install 12 surface parking spaces. A stair tower addition is also proposed at the rear of 821-823 W. Broad St. The consolidated parcel will total 0.5144 acres or 22,408.5 SF, and contain a total of 11 multi-family dwellings (apartments) and 21 off-street parking spaces.

Discussion: Mr. Nyman gave a brief overview of the proposed plan. Mr. Nyman stated the garage on the west side of the property will remain, the eastern most garage will be razed and there will be no expanding of the pavement on the east side to preserve the buffer yard. With this change it will comply with Zoning comment (1)(a). An ADA compliant ramp will be constructed connecting the parking to the rear of 821-823 W. Broad St. as there will be an ADA unit on the first floor. Mr. Nyman noted that they are willing to comply with all comments in the City's review letter.

Mr. Melosky asked for more detail on existing conditions of structures and the plan to maintain them. Mr. Lader stated that the intention is to restore and repair the structures. There will be some slate work on the roof and some minor brick pointing that needs to be done. Mr. Melosky asked if 821-823 W. Broad St. used to be a halfway house or boarding house. Mr. Nyman affirmed that it was once a boarding house. Mr. Melosky asked how many rooms. There were 14 rooms with 17 people at a time. That number will now be reduced to 7 dwelling units. Mr. Melosky asked if there will be many changes to the outside of buildings. Mr. Lader explained that the goal is to preserve the look as is. Mr. Melosky asked if the applicant is willing to comply with all comments. Mr. Nyman confirmed they are willing to comply with all comments.

Mr. Peiffer spoke on the May 1, 2025 City's review letter highlighted comments that the Applicant must do in order for their plan to proceed. Mr. Peiffer then mentioned comments from the letter from the EAC.

Mr. Malozi asked if the driveway exit from 817 W. Broad St. was right turn only. Mr. Nyman responded that he is unsure of the existing rule but their plan is to make the exit a right turn only. Mr. Malozi asked if there has been a trip generation calculation submitted. Mr. Nyman replied there has not been one submitted; but the number would not be high enough to trigger a study. Attorney Piperato added they will provide the number to the City. Mr. Malozi questioned if all traffic would enter from Schaffer Street. Mr. Nyman stated that was correct. Mr. Malozi asked if there is sidewalk access labeled on the plans. Mr. Nyman stated there was sidewalk access. Mr. Malozi asked for more detail on the landscaping and vegetation. Mr. Nyman explained there is screening along the property line and Schaffer Street. There are existing hedges along the eastern side of the property. Mr. Malozi asked if the intent of more parking spaces were for guests of the residents. Mr. Nyman stated that is correct. The number of parking spaces were suggested in case of families having 2 cars. Attorney Piperato explained some municipalities require additional parking spaces, with doing so here, he believes it will benefit the public by avoiding guests having to look for on-street parking.

Attorney Deschler asked if the hedge row on the eastern side will be reflected in the revised plan and if the hedges are equivalent of a decorative fence. Mr. Nyman stated that was correct.

Public Comments: Fred Chamberlain, 807 West Broad Street, asked that since the Zoning Hearing Board hearing, if the plan changed from installing a fence to keep the existing hedges. Mr. Nyman stated that was correct. Mr. Chamberlain stated he has had a survey done of his property and there is a 1ft discrepancy. Since the hedges are remaining, the infringement seems now to be a non-issue. Mr. Nyman stated after

discussion with Mr. Peiffer, instead of adding 2 ½' of impervious coverage, they would keep the hedges as screening. Mr. Chamberlain agreed and noted it will maintain privacy as well. Mr. Chamberlain asked if the property owner will maintain the hedges. Attorney Piperato answered the property owner will maintain the hedges. Mr. Chamberlain asked where the dumpster will be located. Mr. Nyman explained the dumpster will be placed where the parallel parking space is labeled on the plans. Mr. Chamberlain was shown a sketch by Mr. Nyman showing the newly proposed location of the dumpster. Mr. Melosky asked for reasoning as to the new location of the dumpster. Mr. Nyman explained it is in close proximity to both buildings and is going to be placed on existing blacktop. Mr. Melosky asked if sanitation trucks currently use Schaffer Street, the members in the audience stated they do. Mr. Nyman stated that the new location for the dumpster will be easier for the trucks to access the dumpster. Attorney Piperato asked Mr. Nyman if it were possible to move the dumpster more south as discussed with Mr. Chamberlain. Mr. Nyman stated this option is possible. Attorney Piperato stated if the Planning Commission allows, they will move the dumpster more south closer to the garage. The parking spaces will then be moved north where the dumpster was proposed. Mr. Melosky asked if a dumpster or multiple bins were being proposed for garbage collection. Mr. Nyman explained a dumpster is currently proposed but will bring the feedback to the applicant. Mr. Melosky asked Mr. Chamberlain if he was satisfied and Mr. Chamberlain stated he was.

Kathleen Russo, 548 8th Avenue, asked if her appeal of the Zoning Hearing Board decision will affect the outcome of the vote. Attorney Piperato replied the Applicant can proceed under the MPC at his own risk. Ms. Russo disputed the property line indicated on the plan with her surveyor. Ms. Russo stated her property line marker is exposed; the plans show the property line is off by 10ft. It was argued at the Zoning Hearing Board hearing, by the applicant, the 2' bump out of the stair tower is already encroaching on her property. Ms. Russo claims that is untrue. Ms. Russo explained that the property lines are angled while the property lines on the plans are straight. Ms. Russo claims the Applicant installed their own pipe in the ground and her surveyor cannot verify if there is another pipe to indicate the proper property line. Attorney Piperato voiced that line disputes are a private matter, but will continue the discussion if the Planning Commission permits. Attorney Piperato also noted that Ms. Russo's surveyor has not attempted to contact their engineer or surveyor to sort out the issue. Mr. Melosky asked Ms. Russo if she believes the Applicant is impeding on her property. She stated that is what she believes. Attorney Deschler explained to Ms. Russo the Planning Commission and City staff look at plans assuming they are correct due to the certified survey done by the Applicant, and if Ms. Russo believes there is a dispute, then it is a private matter and she should seek appropriate action against the land owner. The matter of line dispute is not under consideration of the Planning Commission when making their vote to approve or deny the Land Development and Subdivision. Ms. Russo asked for more information about the retaining wall on the most western border of the property. Mr. Nyman explained the retaining wall will be placed due to the grading of the property. Mr. Melosky asked what material will the wall be made of and Mr. Nyman replied concrete. Ms. Russo questioned how the Applicant can carry the Zoning Hearing Board decision for variances over when there is a different plan being presented than one at the Zoning Hearing Board. Attorney Piperato explained the portion of the property that was the subject of the variance on the west side along her

property line is the same structure, it is the same tow and stair tower at the location, noting nothing has changed to the installation of the stair tower. Attorney Deschler asked the Applicant if with some things changed are there some moot variances from the Zoning Hearing Board decision. Attorney Piperato responded with the changing of the plans, one variance was withdrawn by virtue of the City's review letter number 1 (a) under Zoning. There are two variances still active from the Zoning Hearing Board. Ms. Russo believes that if the Zoning Hearing Board saw the new plans the outcome may have been different. Ms. Russo asked why the Applicant placed a handicapped ramp where they did. Attorney Piperato stated this was the design by engineers and architects. He added that if Ms. Russo's appeal is won, then the plans will have to change. Ms. Russo asked the Planning Commission how they base their votes on to approve or deny lot consolidation. Attorney Deschler explained the Planning Commission looks at the Subdivision and Land Development Ordinance (SALDO) and the Zoning Ordinance to see if the lot consolidation is dimensionally conforming and meets all other requirements. He added that the motivation for the lot consolidation is irrelevant. Ms. Russo expressed her concerns that if the lot consolidation is approved, then the plans will change.

Kathy Bulman, 534 8th Avenue, stated that she appreciates the changes made by the Applicant, however, there are still concerns that she has with the new plan. Mrs. Bulman stated the biggest concern is the increase in impervious coverage from the current state and the reduction of tree shade. While Mrs. Bulman knows all is being done by right; there is a loss of protection from the sun, which many older houses rely on to protect from the heat. Mrs. Bulman noted while there is greenery proposed it does not provide any shade. She attended meetings in the past with neighbors surrounding the Armory and they have stated that temperatures have risen since the removal of the greenery surrounding the area. Mrs. Bulman asked the Applicant if they are willing to remove some parking spaces and add more trees instead. The addition of impervious coverage takes that opportunity away to add more greenery and aid the City's climate plan. Mrs. Bulman commented that her garage is off Schaffer Street. Their alley is narrow and she has concerns with access to her garage. She would like confirmation that she will still be able to access her garage with the new plans. Mrs. Bulman believes more shade trees would allow better drainage for water runoff and help the neighborhood more than a few extra parking spaces.

Mr. Melsoky asked what type of trees are being proposed for the landscaping. Mr. Nyman clarified that there are no plans to remove any trees, and that all trees along the property line are staying. Mr. Melsoky asked if there are any trees on the proposed impervious coverage. Mr. Nyman responded no. Mr. Melsoky asked if it is possible to align Mrs. Bulman's garage with the curb cut of the parking lot. Attorney Piperato stated they will work on doing that. Mr. Nyman responded to Mrs. Bulman's concern in regard to water runoff from rain. There is a slope of the property from the southwest corner leading to the northeast corner. Due to this slope water will run away from Schaffer Street.

Mr. Malozi asked if there is curbing proposed along Schaffer Street. Mr. Nyman stated there is not. Mr. Nyman did note that there will be some curbing in the middle of the site

and along the eastern lot line. They will improve that area, so less water is going towards Schaffer Street.

Mr. Yandem stated that if the Applicant wants to put in a curb along Schaffer Street, then he suggests a depressed curb and it would not affect them putting in the driveway. Attorney Deschler asked Mr. Yandem that either no curb or a depressed curb would still allow Mrs. Bulman to use her garage. Mr. Yandem confirmed that statement.

Mr. Burgos voiced his concern of the sanitation truck causing damage to the blacktop overtime in the heat. He asked the Applicant if they can make the blacktop a little thicker in that area. Mr. Nyman suggested putting a concrete pad instead of blacktop. Mr. Melosky asked for confirmation of the location of the dumpster site. Attorney Piperato stated they would like to have it located in parking space labeled one on the plans and instead have bins as suggested.

Mr. Malozi asked if there is curbing proposed on the plan where the dumpster was originally proposed. Mr. Nyman explained the only curbing is along the strip that divides the parking spaces. Mr. Malozi stated he wants the notes to reflect, if the garbage is collected in a dumpster, it shall be in the parking space labeled one and if totes will be used, then they shall be near the alley. Mr. Malozi asked if both buildings will have fire protection in the form of a sprinkler system. Mr. Malozi also wanted clarification that the hedges along the eastern property line are on the Applicant's property and will be the property owner's responsibility for maintenance and replacement and the hedges are there in lieu of decorative fence. Mr. Nyman stated that is correct.

Motion #2: Mr. Malozi made a motion to approve the Subdivision (lot consolidation) and Land Development at 817, 821-823 W. Broad Street with the following conditions: meeting all the comments of the City's May 1, 2025, review letter; both buildings will include sprinkler systems for fire protection; the hedge row along the eastern property line of 817 W Broad Street shall remain in lieu of decorative fence; the dumpster location shall be discussed with the City and shall either be in the form of totes at the current proposed location (adjacent to Schaffer Street) or a dumpster in the location identified as parking spot one, and with both locations utilizing a concrete pad.

Second: Mr. Melosky

Result of Vote: The motion carried 3-0.

AGENDA ITEM #3: 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 6:00 PM.

ATTEST:

Craig Peiffer, Commission Secretary