
**MEETING MINUTES
PLANNING COMMISSION BOARD
APRIL 10, 2024**

MEMBERS PRESENT

Robert Melosky, Chairman
Matthew Malozi, Vice Chairman
Joy Cohen
Eddie Burgos

VISITORS PRESENT

Dallas Basha, Packer Ave., LLC
Keith Lawler, Keystone Consulting Engineers, Inc.
Kate Duro, Esq. Fitzpatrick, Lentz & Bubba
Michael Duffy, Project Executive, J.G. Petrucci
Matthew Chartrand, P.E. LEED GA, Bohler Engineering
Zach Rupert, Bowman
Daiyana Rodriguez, 315 Rauch St.

MEMBERS ABSENT

Thomas Barker

STAFF PRESENT

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

The April 10, 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 March 13, 2025

Motion #1: Ms. Cohen

Second: Mr. Malozi

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

AGENDA ITEM #2: LAND DEVELOPMENT

Property Location: 608 Pierce Street

Property Owner: Packer Ave., LLC/Dallas Basha

Developer/Engineer: Keith Lawler, Keystone Consulting Engineers, Inc.

Proposed Work: The parcel contains a two-and-one-half story structure, formerly a Medical Office on the first floor and a dwelling on the upper floors. The applicant proposes to maintain the existing structure, and convert the medical office into a rental office and amenity space for tenants; the dwelling on the

upper floors will remain as-is. The Applicant proposes the removal of the existing parking lot and the construction of five (5) single-family attached dwellings, each containing five (5) bedrooms for the intended use as Student Housing. The Applicant also proposes the installation of 18 off-street parking spaces accessed from Parkhill Street. The parcel totals 0.458 acres, or 19,946 Square Feet.

Discussion: Mr. Lawler gave a brief overview of the proposed plan. The existing building on the property will remain with a commercial space on the first floor and a residential unit on the second. The Applicant proposes to construct five (5) dwellings with five (5) beds, each for student housing.

Mr. Melosky asked for any renderings of the elevation at the Applicant has to show. Mr. Lawler explained they do not have much to show as they were waiting for approval before proceeding with choosing the façade materials.

Mr. Lawler stated that the overall net increase on the site of impervious cover is less than 2,900 square feet. The comments from the Engineering Bureau in the City's review letter refers to a stormwater management issue. The Applicant has agreed to make a \$50,000 donation towards an overall stormwater management solution in the area and in lieu of installing a new inlet and piping.

Mr. Basha explained that the existing structure will remain and the existing parking lot is where the newly constructed townhouse will go and the large Magnolia tree that is front of the home will remain.

Mr. Melosky asked how many bedrooms total in the proposed townhomes. Mr. Basha explained there will be 25 bedrooms, 5 in each townhome. Mr. Basha stated that he is willing to accommodate all comments in the August 20, 2024 City of Bethlehem's review letter.

Mr. Melosky asked Mr. Peiffer if he has anything to add from the August 20, 2024 review letter. Mr. Peiffer talked about the comments from fire, forestry in regard to landscaping and street trees and fence in regards to the existing overhead power line on Packer Avenue. Mr. Melosky asked Mr. Basha if he is okay with all comments in the review letter. Mr. Basha affirmed he is okay with all comments in the City's review letter.

Mr. Malozi asked Mr. Yandem if Public Works has discussed the stormwater donation and if Public Works feels all comments will be addressed with this donation. Mr. Yandem explained he has been in conversation with the Applicant and the donation for stormwater management is the best solution for all. Mr. Malozi asked Mr. Basha if he is willing to comply with all other comments in the letter; Mr. Basha affirmed he will comply with all of the City's comments.

Mr. Melosky asked to give more detail of the eighteen (18) new parking spots. Mr. Basha explained there will be eighteen (18) parking spots accessed from Parkhill Street in replacement of the two parking spots that were originally there. Mr. Melosky wanted to know where the entry points to the parking lot were located off of Parkhill Street. Mr. Basha answered there will be two entrances to Parkhill Street, one off of Thomas Street and the other East Packer Avenue. Ms. Cohen asked if the City would be okay with people backing out into the street from the parking spaces. Mr. Peiffer stated that it is permitted by right in the Zoning Ordinance as long as they are separated into groups of five. Ms. Cohen asked if there are any walkways or will tenants have to walk along Parkhill Street to enter their units. Mr. Basha responded the tenants will walk along Parkhill Street to get to the sidewalk on East Packer Avenue to get to their units.

Mr. Melosky asked if Mr. Yandem would go into more detail of the stormwater resolution. Mr. Yandem explained that the \$50,000 will be used for future Regional Stormwater projects. Mr. Melsoky asked Mr. Basha if he agrees to that solution and Mr. Basha agreed.

There were no comments from the public.

Motion #2: Mr. Malozi made a motion to approve the Land Development plan contingent upon the Applicant meeting all conditions and comments of the August 20, 2024 Review Letter, and the Applicant agrees to give a \$50,000 contribution toward Regional Stormwater Projects which will address Public Works comments 1, 2, and 3.

Second: Ms. Cohen

Result of Vote: The motion carried 4-0.

AGENDA ITEM #3: LAND DEVELOPMENT

Property Location: 2141 Commerce Center Blvd.

Property Owner: Lehigh Valley Industrial Park, Inc.

Developer/Engineer: JERC Partners XCII, LLC, Joe Petrucci/Bohler Engineering, Adam Citrullo, PE.

Proposed Work: The Applicant proposes to consolidate both parcels and re-subdivide back into two parcels. Proposed Lot A, the Applicant proposes to construct a 216,000 SF Warehouse, with 32 loading docks, 31 trailer storage spaces and 107 vehicle parking spaces on an 805,613 SF or 18.49 Acre parcel. Proposed Lot B, the Applicant proposes to construct a 101,000 SF Warehouse, with 27 loading docks and 50 vehicle parking spaces on a 354,739 SF or 8.14 Acre parcel. Both parcels will also contain site appurtenances including access roadways, lighting, landscaping, utilities and stormwater management facilities.

The Applicant also seeks waivers to permit Belgian Block curbing on site; to permit 10" roof drain pipes/downspouts and to permit HDPE and PVC for roof drain pipes/downspouts.

Discussion: Representing the project was Kate Durso, Esq. of Fitzpatrick, Lentz and Bubba, Michael Duffy, J.G. Petrucci and Matthew Chartrand P.E. LEED GA Bohler Engineering. Attorney Durso gave a brief history of the project and informed the Planning Commission of their approvals from the Zoning Hearing Board. Mr. Chartrand then gave a brief update on the project.

Mr. Peiffer spoke about the March 28, 2025 review letter to the Applicant stating there is some significant stormwater comments. The Applicant has met with Public Works in regard to the comments and have come to an agreement that solves the issues made in the review letter. Mr. Peiffer went on to mention Benchmark's letter in regard to traffic, comments from fire looking for verification that their apparatus will fit on all sides of the building and general comments about street trees along Commerce Center Boulevard and Route 412. Lastly, Mr. Peiffer spoke of the conversation had with LANTA and their appreciation to the applicant for adding in a new bus shelter.

Mr. Melosky asked Attorney Durso if her client is fine with everything as it pertains to the City's comments. Attorney Durso mentioned Engineering comment #5 and the Applicant and the City are still working out the easement language, so still would be subject to some kind of easement agreement. The last comment mentioned is General comment #2, in which Attorney Durso stated that the Applicant will get in touch with the City Forester. Mr. Chartrand then spoke about the utilities comment stating "future utilities" when the utilities already exist that have a conflict on site. Mr. Melosky asked Mr. Peiffer if the City finds it acceptable for the continued dialogue between the City and the Applicant in regard to the tree comments. Mr. Peiffer affirmed that is acceptable.

Mr. Melosky asked the Applicant the plan for stormwater management. Mr. Chartrand explained the stormwater will discharge directly into the Saucon Creek via existing head walls, there are large pipes that run along the frontage and through the site. The Applicant will be tying into those pipes which will direct water discharge to the Saucon Creek. Mr. Chartrand also stated that the addition of more greenery and adding of a rain garden will help with stormwater management.

Attorney Durso stated that the Applicant's traffic engineer spoke with Pete Terry, Benchmark, in regard to their #5 comment and it has been resolved.

Mr. Burgos asked if there will be any protection around the catch basin. Mr. Chartrand answered inlet filters will be installed beyond the construction inlet filters and along the buffer zones. Mr. Burgos asked if there will be any snouts installed inside the inlets. Mr. Chartrand explained right now they are not proposed but they are willing to look into this option.

Ms. Cohen asked for clarification that the west side parking lots along Hellertown Road were only for passenger vehicles, and the large trucks will be parked on the east side. Mr. Chartrand affirmed Ms. Cohen's statement. Ms. Cohen voiced her concerns of Building B not having a fully developed plan for greenery as much as Building A. Ms. Cohen stated more greenery around Building B would be more aesthetically pleasing especially the Hellertown Road side of the building where there is a slope. Mr. Chartrand explained that there is a retaining wall on the edge of the parking, and therefore, there is not much room between the slope and retaining wall. Mr. Chartrand also mentioned that vehicular access around the building for fire it limits to how much screening can be placed but stated he would speak with their in-house landscape architect. Ms. Cohen responded she sees their point in the northwest corner of the building, but the southwest corner where the vehicle entry is located can have more greenery. Ms. Cohen stated there is a big contrast between the two buildings and with more balance of greenery it will balance it out. Mr. Melosky agreed with Ms. Cohen's comments. Lastly, Ms. Cohen wanted confirmation on where the trash will be located. Mr. Chartrand affirmed the trash will be on the east side of the buildings out of the view from Hellertown Road.

Mr. Malozi asked if there are outstanding approvals with the Conservation District for the major amendment and PennDOT for HOP. Mr. Chartrand stated they just received comments back from the Conservation District. Mr. Rupert explained that an HOP permit already exists and has been through the traffic impact study twice with PennDOT and has received a technical approval. Now they are going through the steps to change the permit into their name.

Mr. Melsoky asked if the new bus shelter will be located on Commerce Center Boulevard towards the southeast corner. Mr. Chartrand affirmed that is where the bus shelter is.

There were no comments from the public.

Waiver Motion

Motion #3: Mr. Malozi made the motion to approve waivers sought by the Applicant to permit Belgian Block curbing on site; to permit 10" roof drain pipes/downspouts and to permit HDPE and PVC for roof drain pipes/downspouts.

Second: Mr. Melosky

Result of Vote: The motion carried 4-0.

Land Development Motion

Motion #4: Mr. Malozi made a motion to approve the Land Development and Subdivision of 2141 Commerce Center Blvd contingent upon meeting the requirements of the March 28, 2025 City's review letter, approval by the City of the easement referred to in Public Works Engineering comment #5 as discussions remain ongoing, outside approvals from other agencies such as The Northampton County Conservation District and PennNDOT, General Comment #2 has been resolved, and they shall provide improved landscaping to maximize the aesthetic appeal around the southwest corner of Building B in particular, using species that better screen the retaining wall and Building B similar to what has been proposed at the northwest corner of Building A.

Second: Mr. Melosky

Result of Vote: The motion carried 4-0.

AGENDA ITEM #4: Subdivision and Land Development Ordinance (SALDO)

Discussion: Mr. Peiffer gave a brief update to the changes in the SALDO as it has been in the works since 2021. The goals and objectives of the climate action plan are now in the SALDO, LANTA and EAC are included, the explanation of major and minor land developments and subdivisions are more clear, and design standards are back in the SALDO.

Mr. Malozi commended City staff on their work on the SALDO. Mr. Malozi spoke of his concerns with porous pavers, the construction needs to be done just right and maintained or they can get clogged with cinders and sand. Using porous pavers could potentially affect the City's goal to increase pervious infiltration of stormwater. Mr. Malozi asked if mulch is allowed in stormwater basins. Mr. Peiffer answered that the City encourages vegetative cover using native species and not mulched. Mr. Peiffer also commented that the City of Lancaster has experimented with porous pavers so in the event that they are used here, then Lancaster can be referenced as an example.

Public Comments: Daiyana Rodriguez, 315 Rauch Street stated she is happy with the goal of climate change. Ms. Rodriguez asked about land situated on a slope greater than 15% should not be used for development purposes unless topography information of the area is submitted to the city she asked if the distinction between man-made and natural slopes remain relevant. Ms. Rodriguez also asked if an Applicant will have to also prove whether it is man-made or natural and has not been modified in the last 75 years. Mr. Peiffer stated that everything Ms. Rodriguez said is in the Zoning Ordinance and must submit topography and paperwork and that an Applicant there remains a minimum tract size for development. If the Applicant does not meet those

requirements, they will need to seek relief from the Zoning Hearing Board. Ms. Rodriguez asked how would an Applicant prove the site has not been touched in 75 years. Mr. Peiffer responded that they would have to provide documentation.

Ms. Rodriguez asked if a street needs to be least 35' in width and wanted clarification. Mr. Peiffer explained that this section is referring to new streets. A road that currently exists does not apply to this section of the SALDO.

Ms. Rodriguez asked is a public street is near a new development and does not have enough space, if the applicant is then required to widen the street. Mr. Peiffer answered that a street must be widen if it does not meet requirements, but this does not pertain to alleys.

Ms. Rodriguez asked if a developer/applicant must work with the adjacent neighbors. Attorney Deschler stated the street pattern shall be coordinated with existing or approved nearby developments to result in a harmonious change and avoid conflicts between neighboring development.

Ms. Rodriguez asked if a developer is required to work with the neighborhood they are developing in according to the new SALDO. Attorney Deschler answered that is not the case. The SALDO refers to the developer working with the City and to harmonize the new development into the existing neighborhood.

Ms. Rodriguez stated that the SALDO states strongly encourages the use porous pavers and they require maintenance. Ms. Rodriguez questioned if a developer can state that the pavers are too expensive and creates a hardship and they do not use pavers what then. Attorney Deschler answered the City strongly encourages but cannot fully tell a developer what to do.

Ms. Rodriguez asked for clarification of Erosion Control definition. Attorney Deschler responded the only time a plan does not have to be submitted is when there is no state regulation or the developer is disturbing less than 5,000sqft.

Ms. Rodriguez asked for clarification of Green Stormwater Design. Attorney Deschler responded the review is a requirement and is not mandatory. The Planning Commission would review these on a case-to-case basis.

Ms. Rodriguez asked for clarification of "when practical" in the SALDO for existing mature trees and how a developer shall approach them. Attorney Deschler answered if the City believes it is practical then the tree shall be preserved, unless a developer seeks a waiver.

Ms. Rodriguez likes the climate action plan, but the SALDO has language that can aid the developer to get out of preserving trees. The questioned was then asked if developers will be mandated to do traffic studies and pedestrian safety. Mr. Peiffer responded that the City already requires traffic study plans including pedestrian safety.

Lastly, Mr. Malozi asked if the approved species include any that pull up sidewalk. Mr. Peiffer answered that trees must be selected from the pre-approved list from the arborist.

Motion #3: Mr. Malozi made a motion for the Planning Commission to pass on a favorable recommendation to City Council and approve the SALDO.

Second: Mr. Burgos

Result of Vote: The motion carried 4-0.

AGENDA ITEM #5: 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 6:41 PM.

ATTEST:

Craig D. Peiffer, Commission Secretary