

Remarks to the Planning Commission regarding requested subdivision, June 9, 2016

Good afternoon. My name is Stewart Early and I live at 2277 Main Street, near the proposed subdivision (16-001S) at Bethlehem Memorial Cemetery, Dewberry Avenue, adjacent to Bethlehem Catholic High School. I am part of North Bethlehem Action Committee, a group of neighbors who have been deeply concerned about the development of our neighborhood for some time.

I am here to oppose the approval of this subdivision request at this time. The application is incomplete and was disclosed to the neighbors less than 30 hours ago, not even close to the 30 day required by the City in SALDO. The application lacks any description of what the developer intends to do with this property. Given our past experience with this developer on adjacent 5 acres—and the considerable time and cost to City Council, Zoning Hearing Board, Bethlehem Catholic High School, the City and the neighbors—I believe it is prudent to understand what the developer intends to do with the 2 acres before granting a subdivision.

The purpose of SALDO is to assure harmonious development of the City. That purpose includes promoting conditions favorable to the general health, safety, morals and welfare of the citizen of the City. To accomplish that purpose, SALDO provides for a procedure whereby a developer must describe the proposed structures, roads, driveways, and parking space to be developed on the subdivided property. Without knowing these kinds of things, you are left to trust that the developer will use the property in a way that fits with the harmonious development of the City.

This developer's history with the adjacent 5 acres (1838 Center) raises questions about how prudent it would be to trust him. As you know, the adjacent 5 acres was approved at his request for assisted living back in 2007-2008. Those acres are zoned Institutional, as are the 2 acres, and thus assisted living facilities are a permitted use. By 2009, he had changed his mind and pursued several uses requiring a special exception: first, several high density apartment proposals (first 104 apartments, later 96 and then 85 apartments); then psychiatric hospital followed by various drug & alcohol residential treatment facilities; and most recently he proposed various hospitals. You spent time on some of these; the ZHB spent many, many hours on these; City Council intervened against some of these requests, paying Chris Spadoni for his time; Bethlehem Catholic High School intervened against some of these, paying Jay Leeson for his time; the City has intervened on some of these requests; the neighbors spent over \$30,000 to be represented. The developer nearly always appealed any negative decision even though his success rate here is very low. He seems to go from one inappropriate idea to the next. (It should be noted that several of us supported the developer's application to establishment of a drug & alcohol residential treatment facility at 825 12th Avenue; he was successful and received a special exception but chose not to move forward with it.)

That brings us to 2013 and his application to put a hospital on that property. That is a permitted use but a drug and alcohol residential treatment facility is not a permitted use. The initial application was for a 125 bed hospital; in December 2015 he ended up receiving your approval to build an 80 bed hospital on this property, subject to several stringent conditions. To our knowledge, to date he has not started the rigorous PA DOH approval process.

It has been said by Community and Economic Development that the developer is working with Acadia Healthcare to take advantage of this approval. We have seen nothing in writing from Acadia confirming their interest in the hospital project—no plans or descriptions of a hospital—nor have we seen anything in writing expressing an interest in the additional 2 acres. We wonder if the rumored project really a hospital, or is it a drug & alcohol residential treatment facility? Acadia operates such a facility nearby called White Deer Run—Lehigh. Wouldn't this impact your thinking as to this subdivision?

A few other thoughts:

- This property contains considerable fill and slopes down toward the 5 acres. There have been drainage concerns. I don't know how the property will be graded and whether the 15% slope provision in SALDO is an issue. Do you know?
- On the adjacent 5 acres, the LV Planning Commission in their February 18, 2019 review determined that drainage would be an issue and thus required an infiltration basin. The same issue is cited in the September 5, 2013 to the developer regarding the hospital application. How will storm water be handled on this subdivision?
- This is a gateway road into Bethlehem. While apparently seeking to optimize his investment on 1838 Center, since 2007 the developer has posted a variety of "coming soon" signs, parked numerous construction vehicles, located/removed fuel tanks and parked a mobile home/office on site. This has not enhanced the Bethlehem's image to visitors. The property remains uninviting.
- What is the developer's legal right to request this subdivision? Have you or the Planning Department actually seen a legal document between StoneMor and Abra Development 6 LP or Pennsylvania Venture Capital Inc. giving the developer any rights to this subdivision? Does the document describe the purpose?
- City Hall did not give the neighbors adequate notice of the requested subdivision. 30 hours is not 30 days. Why were we not informed? Why the lack of transparency? We need the benefit of early notice when this developer is proposing anything in our neighborhood. That is one of the reasons why we don't have more people sitting here today.

In conclusion, the point is that you should not approve this subdivision until the developer explains what he wants to do with the 2 acres...and gives you enough information to determine that the subdivision will contribute to the harmonious development of the City and promotes conditions favorable to the general health, safety, morals and welfare of its citizens. Please do not approve this request for the subdivision at this time.