

Down Memory Lane on the Armory controversy

The Bethlehem Gadfly Armory, Neighborhoods November 14, 2019

 *Latest in a series of posts on the Armory* 

Looks like the Planning Commission meeting on the Armory goes on at 4pm today, though neighboring residents have indicated trouble attending because of the time when many people work.

The City provided the opportunity for people to come to City Hall this week to discuss the plans to be presented, but Gadfly is not sure that happened.

Supporting documents are [now online](#); they weren't the last time Gadfly looked.

In any event, not all interested parties can attend the PC meeting to make their views heard, and Gadfly knows that sometimes “numbers” can have effect on decisions.

Gadfly calls your attention to City Council minutes of [February 6](#) and [March 20](#), 2018, when there was significant public comment and Council discussion on the Armory. Gadfly was not Gadfly at the time, but he did participate in the issue as a “detached observer,” and that unpleasant experience was part of the reason he eventually started the Gadfly project.

To refresh ourselves on the controversy surrounding the Armory, Gadfly prints here — with permission — part of a comprehensive email to Council by Armory neighbor Jeff Pooley dated February 7, 2018:

** The Commonwealth offers a prime asset to the RDA, a public entity, for a ****far below-market**** amount (around \$270,000).*

** The RDA, using a legitimate process (though some applicants may have been scared away), awards a ****far-below market**** RFP purchase option to Peron, at \$322,000 (according to the figures I have seen).*

** In both cases, the reason for foregoing a straight market-rate transaction is the Commonwealth/City/RDA's interest in preserving the historic Armory and in encouraging an adaptive reuse of the building and site that would benefit the City.*

** The neighborhood group (MANA), and literally every single resident I have encountered (and I'm sure there are exceptions), both support the redevelopment AND have legitimate questions about the Peron proposal.*

** Literally every resident (in my experience, and across over 30 West Side residents' testimony at the ZHB meetings that I believe you have seen), has argued that the new construction is too large AND that Peron's lack of plans for the Armory is troubling for a range of reasons. There are a number of other concerns that have been repeatedly expressed, in good faith, about neighborhood parking, and about the anti-urban strip-mall style design.*

** But everyone that I have ever spoken with ****also**** supports redeveloping the site and preserving the Armory. I have literally never heard a single, NIMBY-style dissent to redeveloping the site.*

** We worked responsibly to engage the developer, Peron, through their representative, former mayor John Callahan. He met with the whole neighborhood (via MANA) once, and met with those (like my wife and I) adjacent to the property a second time—though not the neighborhood group MANA (which I think was a mistake). To Peron's credit, they did replace an egregious and unworkable 22-space, cantilevered parking*

plan for Rauch Street with a 14-space lot off Rauch that was once used by the Armory.

** But Callahan and Peron would not compromise on the plainly out-of-scale new construction, nor on the strip-mall design.*

** So we put our faith in the public bodies that enforce planning principles and the zoning code. We were especially confident because the project is not a regular private development. It was hallowed state-owned property provided to a city-affiliated nonprofit to transfer to a private developer at a *far below market rate* in exchange for protecting and advancing the public's interest in preserving the Armory and enhancing our thriving neighborhood. This was no ordinary development, we thought.*

** So we were stunned, first, when the Planning Commission swept away, with literally not a single word's comment, the public's concerns.*

** The Zoning Hearing Board, speaking for myself, was by far the most deflating and demoralizing experience I've had since moving to Bethlehem from a corruption-plagued Allentown five years ago. Peron's legal arguments for the crucial parking special exception were an audacious act of legal chutzpah that literally stunned me.*

** The main claim was that the developer deserved 24-space special-exception relief due to "adaptive reuse" of the Armory—even though the zoning code exception language plainly and unambiguously refers to reuse of a "principal building." The argument that a pair of attached garages—one from the late 1960s—constitute the "principal building" didn't (and does not) pass the laugh test. It was ironic that Peron entered into evidence a flyover portraying their winning RFP design that showed the two garages utterly demolished for new construction. They, like literally everyone, consider the Drill Hall the "principal building"*

** The backup claim was that the 24-space exception was owed because of a topography hardship. If anything, this argument was even more absurd, since the **only reason** they “needed” relief from the parking code was because they had proposed a 70-unit building. You can’t claim a hardship that you literally created yourself. Peron’s “hardship” would, of course, vanish if it merely reduced the number of units.*

** You can image how stunning it was to watch the flimsiest of legal arguments upheld unanimously by the Zoning Hearing Board without a single word of explanation.*

** We all had watched the same Board lecture a resident, right before the Armory case, over needing a “hardship” for a variance—in that case, 7 feet or so for his shed next to his property line beyond what the code allowed. The Board unanimously denied that request, before taking up the 11 Peron variances.*

** To watch Darlene Heller, who I otherwise respect a lot, shamelessly use the last public-comment period to aggressively shoot down neighbors’ concerns and back up the developer—that was utterly deflating. Here you had the city’s planning director pitching for a developer to violate 11 variances/special exceptions and make a mockery of the zoning code. It was lost on no one that a major and disastrous precedent was established, leaving the zoning code open to follow-on exception requests.*

** Over 9 hours of hearing, there was not a single resident who supported the proposal in its bloated, illegal form. Not one from over 30 who spoke.*

** For me and my neighbors it was the plainest evidence that, for the Zoning Hearing Board at least, there are two Bethlehems. There’s one for ordinary residents, who get lectured about small variance requests that are unanimously denied. And then there’s a second Bethlehem for a developer with a well-connected former mayor. If you’re Peron and*

John Callahan, you get 11 variances on laughably dubious legal grounds approved unanimously.

Everyone knows the Armory is a “hot” issue in that Westside neighborhood.

Other Commissions have agreed to move their meeting times to accommodate residents on hot issues.

Why not the Planning Commission?

birds chirping . . .