

ZONING COMMISSION/ZONING RESOLUTION UPDATE MEETING

Work Session  
January 12, 2012

Version I  
Approved 2/1/12

Members present: Chairman, Tom Kelley, Ed Mazak, Richard Bradner, Nancy Fay, Scott Meyer, Jeff Kerr, Steve Bell, Paula Dubaniewicz, Joy Kosiewicz, Tim Franklin, Trustees Nelson and Goodrich via Skype, Ken Baldwin, Zoning/Administrator Bill Funk and Recording Secretary Martha Ferch. Members excused: Jason Boltz, Michael Mack, Linda Hastings, Robert Konstand, Trustee Becky Corbett.

Zoning Commission: Mr. Kelly, Chairman, opened the meeting and attendance was taken.

Approval of minutes for December and zoning report for December.

Mr. Bradner moved that the December 1, 2011 work session minutes be approved. Mr. Mazak seconded and approved unanimously. Zoning Reports for December was deferred to February's meeting.

The Chairman then turned the meeting over to Wendy Moeller of Compass Point via Skype.

**Article XIII – Signage Standards** – Wendy made changes to Article XIII, Signage for the ARC to consider at their Monday meeting.

Permanent Ground Mounted Signs in the Business Districts.

Sec. 1309-A – prohibited ground mounted signs along the interstate if a business has frontage there.

Sec. 1309-C – Zoning Certificate review for permanent window signs were added.

Sec 1309-D – Permanent Driveway signs – Added “no more than 50% of the sign shall include a commercial message.”

Sec. 1309-E – Flags – Maximum height of 35'; allowed them in the B-1, B-3 & B-4; poles permanently installed with footers and maximum size to be 40 square feet.

Sec. 1309-E-2 – B-5 districts – poles attached to the building and maximum square feet to be 15.

Sec. 1309-F – discussed to allow fuel prices only in digital form.

Sec. 1310-C-3 – Additional Temporary Signs – sign shall not be illuminated, 16 square feet; 4' high; no zoning certificate just a \$50 deposit, refundable once it's removed and a 30 day period

Sec. 1310-C-3-C – is duplicated in “B” of Sec.1310.

Sec. 1310-C-3-D – is duplicated in “A” of Sec. 1310.

ARC comments:

Section 1309-F – Electronic Signs Related to Gasoline Sales – Delete 1 and 2. Revisit this with Konstand and only limit the digital sign to fuel pricing only for ground mounted signs.

Section 1309-G – Electronic Message Centers – ARC doesn't recommend it but members present were split on keeping some language in and for the time being, regulations will be tightened up and further reviewed at the different levels of progress. (Only in the B-2 district in the Montrose area. Conditionally approved and only part of sign can be used for digital area. Multi-tenant buildings would use tenant names only.) When the signs switch over it would be a distraction and a safety issue. Place the burden on the applicant to prove that signs are safe. For single tenant monument signs in the B-2 district is not recommended. Get some more information, studies on this. Businesses within a business should also be addressed and clarified in definitions and also clarify and add professional groups in a single building.

Hamlet Signs – Create a flag design for businesses to use off their building and keep up their maintenance. A section should be added for allowable sizes of monument signs that would consistent with the Hamlets to use a short post and hang down style for these areas (B-5 districts) but make the size fit the site or the building. Existing signs that don't fit this style in the Hamlets would create non-conforming signs. ARC would like to meet with the Bath Business Association to discuss these ideas. Internally lit signs should be prohibited in the Hamlets and future signs should not use a raceway and specify lamp wattage limit to 45 watts for externally lit signs.

Sandwich Board Signs: This would be a Conditional Use, size limitations established along with display times and shall not be placed in the road right-of-way.

Ghent Square: This is a unique area where you can walk to each business, signage for main from tenants would be larger on the store fronts, upstairs tenants would use a medium sign size and directory signs for other tenants upstairs or in the rear, would be smaller. Sign design would allow for individuality and consistency of use. Get more input from the Bath Business Association before final language is written.

**Article VIII – General Development Standards** – consolidated fences, retaining walls, hedges, steep slopes, exterior lighting and mailbox and entry structures.

Sec. 801-C – Decorative Fencing of up to 20 feet used for landscaping was added.

Sec. 801-E – Retaining Walls: if higher than 48” it shall be benched so it does not exceed six feet and this section was written with more specific language requirements.

Sec. 801-G – side and rear yard fencing is measured three feet from the lowest point and the six foot starts from that point instead of the berm height.

Sec. 801-F – Front yard fencing shall be four foot high and not be in the right-of-way. Footnote 121 needs to be put back: shall meet the minimum setback requirements. Delete footnotes 122 and 123.

Sec. 801-H – added “good neighbor fencing” the finished side of fencing shall face outward.

**Sec. 802 – Steep Slopes** – Current language

Sec. 802-A – Put reference in for the Steep Slope Map in the Comprehensive Plan.

Sec. 802-B – Add site specific properties (Needs to be reviewed with Zoning, Konstand and Consultant)

**Sec. 803 – Exterior Lighting (New)**

Sec. 803-B – Check standards for LED lighting, 60 Watts for LED's is quite bright, we should use lumens or foot-candle illuminations.

Sec. 803-B-2 – Add requirement to zoning certificate but not needed for single family dwellings and subdivisions.

Sec. 803-D-1 – Change height requirement in Table for B-3, B-3 or B-4 to 30' is standard maximum height.

Sec. 803-D-2-A – Change to zero foot-candles at residential property lines and not 10' into the adjacent property.

**Sec. 804 – Mailboxes and Driveway Entry Structures** – Put back that it: requires a zoning permit.

Sec. 804-A-2 – Decorative boulders don't need a zoning certificate. All structures at 5' setback from road right-of-way and side lot lines - for safety reasons.

Sec. 804-A-5 – Change gate height to six feet from eight.

Sec. 804-C – Mailbox structures with footers need to get a permit from Zoning.

Zoning Inspector will check existing language with the Service Director on mailboxes and structures.

**Next meeting February 2, 2012, 6:30 PM**

