



Bath Township Zoning Commission August 6, 2025 – Public Hearing Minutes

Approved: 10/9/25

Untable ZC-25-01: Ghent Interchange Mixed-Use Overlay text amendment

Mr. Chairman called the meeting to order. Roll call was taken, the Pledge of Allegiance conducted, and the oath/affirmation was administered.

Members present: Chairman Richard Bradner, Vice Chair Marshal Pitchford, Joy Kosiewicz, Emily Hete, Kristin Sanchez, Tyler Bolanz, Legal Counsel Bob Konstand, Planning Director Bill Funk, Zoning Secretary Nanci Noonan and Envision Consultant Ryan Smalley. Kyle Craven was excused.

Motion to untable Case ZC – 25 – 01 by Mr. Pitchford; seconded Mrs. Hete. All in favor motion passed.

Zoning Secretary certified that the public notice was posted on the Township website, per Ohio Revised Code 519, Thursday, July 28, 2025. The legal notice was read into the record.

Consultant's overview: Mr. Ryan Smalley, with Envision, consultant that assisted in completing the 2025 Comprehensive Plan, stated they are currently working with the Township and Zoning Commission on the Mixed-Use Overlay. He shared that at the last meeting we had with the public, we had a lot of concerns about density. It came up multiple times. To address that they went through and tried to clarify what would actually be done within this mixed use district, define what it means, what the maximum density actually can and cannot be, and all the restrictions we put on it. Mr. Smalley walked the public through a bit of history explaining that this was a focus area in the Comprehensive Plan. Most of the five focus areas in the Comprehensive Plan centered on trying to control future development. We wanted to try to restrict and shape development as best we could in areas that we thought, "maybe" in the future, had the ability to become developed. He pointed out one highlighted area, which was at the Ghent Road interchange via the exhibits. Mr. Smalley stated that, obviously, it's a green field at an interchange and it has gone up for sale so we needed to take a look at this. The main concern for the Comprehensive Plan Committee was that they did not want commercial development extending down the hill. To best try to restrict that, the idea was produced that if we put an Overlay in, we would be able to allow limited commercial development closer to the interchange. Today, the entire U. H. property is zoned B-1 and it could all be developed as commercial. Mr. Smalley stated that we wanted to try to limit that so in the future, the next house down does not say "I want to be commercial," and then the next one wants to be commercial, and then we are into the Ghent Hamlets and we do not want that sprawl. That was what the Commission really didn't want to happen. Hence, it was suggested to put in an Overlay instead of allowing so much commercial sprawl. We will restrict the commercial to stay closer to the interchange and then allow for denser residential than what's allowed in our R-2 District, which is 2.5 acres right now, which the parcels just to the north are 2.5 acres, all with the idea that once we got north of that, the Township could control that development from going any further.

Referring to his exhibits, Mr. Smalley stated that the limits shown are the limits of the proposed Ghent Road Mixed Use Overlay. These are the exact same limits that are proposed within the Comprehensive Plan

document, the same parcels, the same limits. What we did here was we detailed this down a little bit further. In the Comprehensive Plan, it was just sort of theoretical; we wanted to have radiating rings of intensity and development. But here, we actually have to define what that is. Mr. Smalley pointed out the yellow area and stated that that is Subarea 1 and it is 500 feet, and, in that area, we allow commercial development and mixing of uses. So, it could be attached residential in that 500 feet, mixed in with office or commercial retail use; but that is much smaller than what would be today within the B-1 District. Mr. Smalley pointed out the whole area on the exhibits stating that we are trying to limit that commercial development closer to the interchange. And then Subarea 2, which is the orange, which is the remainder of the district that is single family, detached owner occupied homes, no attached homes, no rentals. They would all be single family homes on their own lots.

Because of some of the concerns at the last public meeting, we wanted to provide a very conceptual site plan of what would be the worst case development scenario, where every parcel decided to sell to a developer, and the developer said, yes, this is going to make sense for me. I'm going to redevelop and I'm going to use the Overlay. Within our Overlay District, we specify that if you develop in this area, you're either going to use the base zoning, which is B-1, at the U. H. Property, and R-2, everywhere else, or you're going to use this Mixed Use Overlay.

Mr. Smalley stated it cannot be half of one Subarea and one half of the other. A developer would have to select one option to start development. So, the idea is that if all the parcels and all the owners decided to sell to the same developer this would be the worst case scenario, the most development possible. So, assume Subarea 1 is going to be commercial in some form or fashion, so we don't have any homes showing up in the yellow half circle at the bottom. Mr. Smalley pointed this area out via his exhibits on screen. He shared that in Subarea 2, which was where most of the public focus was, we wanted to put in homes that mimic the standards that we have put into the Overlay. We have a range of two units to six units an acre. When the public saw six units an acre and 30 acres, they said six times 30 is 180 homes! And that's just not the case. We've put in a whole host of standards from setback requirements for the homes, to minimum setbacks on the side yard, the front yard, the backyard, and the size of the home. There's a maximum square footage that the home can be. He pointed the brown squares on the exhibits and stated they represent the smallest square footage that the home could be in the Mixed Use Overlay. (He thought it to be 1,800 square feet.) And then the green areas would be sort of the parcels for those individual, single family, detached, owner occupied homes. He stated that on those parcels there is a 30 foot front yard setback, 10 foot setbacks on each side of the home and then along the northern buffer we specified that the setback of the home has to be 50 feet off of the 50 foot buffer, so the home would not be able to be within 100 feet of the northern property line. He pointed out that all the brown and green squares are individual homes and there are 56 illustrated there; and he noted the open space requirement states that 35 percent of the developed area needs to be open space.

Mr. Smalley continued walking through the Overlay map and stated that one of the things that's shown here in brown are the areas on the site that are going to be almost impossible and not able to be developed. There is steep slopes, a lake, and some wetlands, all in that light brown area that's shown there. So, that area is really not developable, but that also would be put into your open space requirement. When you add up the buffering, all the setbacks and the open space requirements, you end up with 55 to 65 homes in the worst case scenario where everybody sells and we build to the absolute minimums that we're allowing within this Mixed Use Overlay. Mr. Smalley's said that, over the extent of Subarea 2, that density equals about 2.25 units per acre, and not the six units per acre. And you say, well why did we have two units an acre to six units an acre in there? He said that was because in certain acreages within that Subarea, there is a density of six units per acre and he pointed those areas out via his exhibits. That's the maximum you could go, based on all the setbacks that we've put in there, but we wanted to show the densest scenario where we have the most homes come on here. Again, that's

the range of two to six. But in reality, the densest you're going to be able to go with all the requirements that we have is 2.25 + or - units an acre.

To give the public real life reference what this is and what it would look like he referred to examples around Bath Township. (1.) Crystal Lake in Bath Township, detached homes, the average density within Crystal Lake is 2.8 units an acre. So that is denser than what could be built in Subarea 2, as we have it proposed. (2.) Rising Meadow, which is just outside of the Bath Township, is 2.4 units an acre, so similar to what could be proposed in Subarea 2. (3.) Glen Karen Forest, which was one of the developments that we were really trying to mimic with our Overlay District. They have a lot of slopes, and they have a pond, and they have all kinds of green space, their average density is 2.1 units. So that is in the range of what at maximum worst case scenario could be put on this Overlay. Mr. Smalley stated he just wanted to provide a real world example of what that density at worst case means and respond to some of the comments that were made at the last public meeting, which I get if you see six units an acre, and you see 30 acres, you do the math and say 180 homes, and oh my gosh! But Mr. Smalley stated that is not what this is. This is much less than that. We are trying to make these homes high quality, single family homes and planning to put in buffering and open space so that they fit in with everything else within Bath.

Commission discussion: Mr. Chairman appreciated the great job Mr. Smalley did giving the scenario. He invited the Commission to have a discussion. Mrs. Hete confirmed with Mr. Smalley that we're trying to show here is the most development scenario, where everybody, every parcel, agrees to sell their home to a developer or develop conglomerate and develop themselves, whatever the scenario might be, but to develop and use the Mixed Use Overlay. But that the odds of this happening are probably low; that would mean every property owner agrees to get what they feel is the fair value for their property; and the developer says, yes, that's going to be advantageous for me to buy all those properties and then build all this. It is difficult to see all those things happening but we wanted to show the worst case scenario. Mr. Smalley confirmed and Mrs. Hete asked what would happen if just one person wanted to develop. Mr. Smalley stated that it couldn't be just one person with two acres, as we have a 12 acre minimum to develop in the Mixed Use Overlay. He shared a mix of situations with 12 acres via his exhibits on screen. Mr. Pitchford asked about the U.H. property and Mr. Smalley said they could chose to use B-1 and not use the Overlay. But say they use the Overlay, then the first 500' in Subarea 1 is commercial and mixed-use uses. Then everything outside of that is going to be restricted to all the requirements in Subarea 2. If all the property owners that are within the Mixed-Use District to the north of U.H. got together, theoretically, a developer could come in, buy all those parcels and then develop just housing. Mr. Smalley pointed this out on the map also and stated that everything north of it, to be able to meet 12 acre requirement, all those parcels would have to sell to the same developer, and then they would be able to, theoretically, if they used the Mixed Use Overlay. They would be able to put the same homes I have shown here, but only single family detached homes. Mr. Smalley felt that the odds of that happening were very low. It might be the U. H. property plus some other parcels that wanted to sell at one time but there wouldn't be enough acreage left in the Mixed Use overlay to have a future development. Mrs. Kosiewicz asked if it happened that way, where U.H. built using the overlay district, and then a second development happened with the remaining 12 acres, would there be two 50' buffer zones? Mr. Smalley responded to say that we are really concerned with the northern buffer and having a large buffer between the edge of the Mixed Use Overlay and the properties to the north. (He pointed it out on his exhibits again.) He identified the 50 foot buffer that represents the worst case scenario if all properties sell at the same time and get developed. If just U.H. developed their parcel, that 50 foot buffer would apply to that development. And then, let's say all these parcels up here get bought and developed at once, there would be a 50 foot buffer here and a 50 foot buffer for both. Mr. Pitchford wanted to clarify that point and asked if Mr. Smalley had made some redlined revisions to the code to encapsulate the buffer language. Mr. Smalley responded to say that was the one thing that changed based on the discussions from the public meeting. We better define what that is and try to pin down the need to have that on every development scenario

and know that the boundary is contiguous. He explained how the northern buffer would go if a certain parcel decided to sell and others don't. It was noted that text could be found on Page 7, under Section 8, Section 604. The other revision was a "P" for subdivisions in the Permitted Use Table-1.

Mr. Pitchford asked for the buffer language and Mr. Funk stated, "In addition, buffering along the northern edge of any development within the GIO District shall meet the following minimum standards. The northern edge is defined as the northern, most contiguous boundary of a development." Mr. Chairman stated his concern that we make sure this language is buttoned up as this is going to be a forever change, this is the first time we are using language like this and it will change the complexion of our community. After much discussion on the boundary scenarios, the Commission emphasized the importance of maintaining existing zoning (B-1 and R-2) and discussed the need for a 50-foot buffer zone to protect adjacent properties. Mr. Pitchford stated he was comfortable with the language that has been proposed here and as Mr. Funk has read into the record. Mr. Chairman asked the members if they wanted to postpone the hearing to discuss this new language further. Mr. Pitchford agreed with Mr. Chairman's comments and concern. He thought that with the additional changes that were brought forward, it would be prudent for the Commission to wait until our next meeting to allow the public to digest what the comments are. He said he was comfortable with where we are today and concurred that this is going to be a significant change that will change our community forever.

Motion to postpone the hearing on the Ghent Interchange Overlay to September 11 by Mr. Pitchford. Mr. Bob Konstand, legal counsel, asked Mr. Pitchford if he would be willing to amend the motion to state that public comment will be heard at the next hearing, rather than tonight, because we have public here tonight and we need to clarify when there will be time for public comment. Mr. Pitchford stated that was precisely what he is suggesting; give the public time to consider and digest what has been presented and at our next meeting the public commentary will be accepted.

The hearing was closed with no further information or questions by the Commission or applicant.

Motion and vote:

Motion to postpone the Public Hearing for application ZC-25-01 – Ghent Interchange Overlay, to September 11, 2025 at 6 PM by Mr. Pitchford; seconded by Mrs. Hete. All in favor; motion carried.

Mr. Chairman adjourned the hearing and convened the Work Session.



Bath Township Zoning Commission August 6, 2025 – Work Session Minutes

Approved: 10/9/25

MEMBERS PRESENT: Chairman Richard Bradner, Vice Chair Marshal Pitchford, Joy Kosiewicz, Emily Hete, Kristin Sanchez, Tyler Bolanz, Legal Counsel Bob Konstand, Planning Director/Zoning Inspector Bill Funk and Zoning Secretary Nanci Noonan. Kyle Craven was excused. Fred Zumpano and JoAnn Alexander were also present.

- I. Call to Order – Roll Call
- II. Introduction of new member: Mr. Funk introduced Tyler Bolanz. Tyler shared that he has lived in Bath Township since 2019, is a pharmacist by trade and works for the V.A. out of Cleveland. He was part of the Comprehensive Planning Committee working with Ryan and Bill. When Bill presented the opportunity to join the Zoning Commission he gladly accepted. Bill explained that Tyler will be alternate number two, which means Kristen moves up to the first alternate spot.
- III. Approval 7/17/2025 minutes: Motion to approve by Mr. Pitchford; seconded by Mrs. Kosiewicz. All in favor, motion carried. Mrs. Hete and Mr. Bolanz abstained.
- IV. Zoning Report – report to be given next month.
- V. Unfinished Business:
 - a. Ghent Overlay District: see Commission discussion.
- VI. New Business:
 - a. None
- VII. Miscellaneous:
 - a. Commission discussion – discussion was focused on the buffer zone language for the overlay district particularly the northernmost buffer, which should not be reduced or varied. The Commission debated the flexibility of buffer zones and the potential impact of future developments. Concerns that arose included the flexibility of buffer zones between developments in the Overlay District, risk of making zoning too restrictive and potentially eliminating property use rights, concern about the feasibility of residential development near potential commercial areas and worry about uncontrolled commercial

spread if the Overlay District is not applied effectively. Regarding the buffer, Mr. Konstand did not like it "in perpetuity." He felt that we need to have some flexibility. Currently we state that you cannot get a variance to reduce the width itself. He suggested saying reduce the width of the northernmost buffer if there's two. Mr. Konstand stated that he has some minor fine-tuning to do on current draft language. He will get it to the Commission before the next public hearing. He and Mr. Funk will sit down and go through everything word by word to make sure it all goes together. Mr. Chairman asked for those revisions to be submitted no later than two weeks before the public hearing. The members agreed to review and provide additional feedback on the draft language to Bob. Then they will finalize the language for the next meeting on September 11th, ensuring it aligns with community concerns and legal counsel.

VIII. Citizens' Comment - none

IX. Next Meeting – reconvene the Public Hearing on Thursday, September 11, 2025, at 6:00 P.M. It was noted that the August 14th scheduled meeting was cancelled.

X. Adjourn