



## BATH TOWNSHIP ZONING COMMISSION FEBRUARY 13, 2025 - WORK SESSION MINUTES

Approved: 2/27/25

MEMBERS PRESENT: Chairman Richard Bradner, Joy Kosiewicz, Emily Hete, Kyle Craven, Marshal Pitchford, Kristin Sanchez and Planning Director/Zoning Inspector Bill Funk. Trustee Elaina Goodrich and resident Joann Alexander were also present. Vice Chair Maryellen Burnham and Zoning Assistant Nanci Noonan were excused.

- I. Call to Order – Roll Call
- II. Pledge of Allegiance
- III. Approval of January 9, 2025 Minutes: Motion to approve by Mrs. Hete; seconded by Mr. Craven. All in favor; motion carried. (Mr. Pitchford abstained roll call due to being absent 1/9/25.)
- IV. Zoning Report – Mr. Funk presented the Year End Report for 2024 and summarized the focus and accomplishments of the Comprehensive Plan Steering Committee.
- V. Unfinished Business:

a. Ghent Overlay District draft language from Envision – Ryan Smalley presented to the Commission the background of he and his associates as it applies to planning and zoning. Regarding the Ghent interchange mixed-use overlay that was discussed with the steering committee, they have begun to put it into zoning overlay terms. Mr. Smalley referred to the drafts that were emailed out prior to the meeting and proceeded to walk through those documents. The purpose of this is to start the discussion with the Zoning Commission and get feedback from the group on what is proposed. We wanted to come up with strategies to control the development of the U.H. Property and maximize highest and best use at the actual interchange itself. Then, as we move away from the interchange, going North, lowering the intensity and amount of uses that are allowed to just residential so that when we get to the edge of the overlay district, we are not markedly different than the uses to the north. The objective being to keep the development from going any further than the interchange and lots sliding down the hill. Mr. Smalley proceeded to walk through the three areas of the proposed Section 604 in the Overlay Zoning Districts Article via his exhibits. He spoke on the subareas and explained the uses and the intensity, and setbacks within the three areas. Comments were made that we should specify that the not for rent products will not be allowed and somehow limit the number of “Dollar General/dollar Tree” retail uses. (Refer to the Draft GI-O Text and map document.)

Mr. Chairman wanted to go back to the potential allowance for multifamily rentals. Mr. Smalley stated we have language that does not allow that. Mr. Chairman had another concern about mixed-use buildings that may allow rental units above commercial space. He stated that at the past APA meeting it was brought to light that these are not working out as well as they need to be. This does not incorporate the mandate we hear from our neighbors that keep Bath rural and we need to meet these concerns. Mr. Smalley agreed and believed the intent is not to allow those, so being more explicit about restricting them

can be done. Mr. Pitchford cautioned on completely outlawing it because if you do you may not be in the strongest legal position. Mr. Funk clarified to say there's nothing regulatory in our code saying we don't allow rentals. Mr. Smalley stated that potentially that language could be put in H.O.A. bylaws. Discussion led to mixed feelings that rentals be prohibited in the mixed-use. Mr. Smalley's said they would address this and provide feedback for what the best approach would be for it. Regarding bed and breakfast establishments as a conditional use, the Commission felt it should be taken out.

Discussion on townhomes, condos and the attached dwellings and their definitions resulted in Mr. Smally recommending we need to define condos and cluster homes as uses and to move the attached dwelling as a permitted use with standards; and add definitions for those uses. Also suggested was to limit the number of attached units in a building and the unit square footage in Subarea 2. Some thought that maybe two stories, four units, 1,500 square feet per unit minimum. Mr. Funk spoke to say he would prefer to have more detached, denser housing than attached units. He felt that we should be encouraging that as opposed to four or six units together. Possibly, Mr. Funk said you could combine Area 2 and 3 and do detached, individual properties at 1,800 square foot, two-car garages and denser along the whole area; that gets us a much greater buffer to the north. That seems to be a bigger win than going with attached six units and 1/2 acre lots. Discussion continued regarding the three areas and, with the right configuration, what would be developmentally wise. Some examples of what this could look like were Fred Zumpano's development off of N. Revere Road, Ashton Village in Richfield and Evans Farm in Lewis Center and much conversation was had. Mr. Smalley clarified to say he hears the Commission say no attached dwellings anywhere and in subarea 2 and 3 (combined). His only concern with the one area is the discussion about going down the hill and having the next property owner say a similar thing. We need to make each zone flow into the next zone so that they are similar types of uses. We want to see more residential and less commercial.

Mr. Chairman shared that in December he went to Marco Island in Florida and visited areas like we are talking about developing here. One of the things they saw was multimillion dollar homes, near freeway exits, all in gated communities. The denser ones, that didn't have the Bath feel of being rural, were not gated. He wondered how you could fit that into this. Mr. Funk stated then the question becomes do you have private drives versus public driveways. Currently, the condo communities in Bath all have private. Mr. Funk and Mr. Smalley will work on the details of this conversation and we will meet again this month to keep this rolling. Mr. Smalley asked the members to review the red-letter items in the draft and to bring their ideas to the next meeting. Regarding the timeline for the overlay document, Mr. Funk shared that he would at least like to have a complete, strong document in place before a developer comes in. But it does have to go through the normal Zoning Amendment process. It was decided to meet again on Thursday, February 27<sup>th</sup>.

VI. New Business:

- a. None.

VII. Miscellaneous:

- a. Committee discussion –

- VIII. Citizens' Comments – Mrs. Joann Alexander commented about the number of requests that the Board of Zoning Appeals had for variances, and wanted to know the percentage of approved and disapproved cases. Regarding the comprehensive plan, she stated that she was contacted, when the public meeting with the trustees was held, by a couple of homeowners in this Ghent overlay. They wanted to know what was going on. Mrs. Alexander said she was under the impression that they had been approached but the people who called her had not been spoken to by the Township. Mr. Funk stated they have spoken with a few and still have others to contact. Once we get a little more of a draft, our plan is to meet with every one eventually. Mrs. Alexander talked about the discussion on “rentals” or “sales” and said that can be dealt with in the H.O.A.'s and articles of condominium. That way it doesn't go in Bath Township documents it goes in the individual development's documents. She also wanted to make sure that the 35' height limit includes all buildings within commercial and residential, and that the language is written in such a way that 35' is the max at the peak.
- IX. Next Meeting – Thursday, February 27, 2025 at 6 PM
- X. Adjourn