



BATH TOWNSHIP ZONING COMMISSION MARCH 25, 2025 - WORK SESSION MINUTES

Approved: 4/21/25

MEMBERS PRESENT: Chairman Richard Bradner, Vice Chair Maryellen Burnham, Joy Kosiewicz, Legal Counsel Bob Konstand, Planning Director/Zoning Inspector Bill Funk and Zoning Secretary Nanci Noonan. Emily Hete, Marshal Pitchford, Kyle Craven and Kristin Sanchez were excused.

- I. Call to Order – Roll Call
- II. Pledge of Allegiance
- III. Approval of February 27 and March 13, 2025 Minutes: Minutes were not approved as not enough members were present that were in attendance on either date. Will approve at next meeting when quorum is attained.
- IV. Zoning Report – N/A
- V. Unfinished Business:

a. Ghent Overlay District draft language from Envision – Mr. Chairman opened up the meeting by noting an email he sent out prior to the meeting. He shared that we need to tighten up our overlay language for paths and parking bollards. Also important from the last meeting, we cannot forget lighting as high intensity lighting has become much less expensive and much more available. Lighting intrusion is increasing along with inherit health issues and destruction of the dark sky. Mr. Chairman stated we need to make this transition area safe and beautiful for Bath, irrespective of neighboring communities. Bath is unique and we must consider our citizens concerns about safety, natural beauty and keeping Bath rural. New neighboring community developments are not necessarily Bath. We can learn from their examples and mistakes. We can also use our success stories like Sparrow Pond, Crystal Lake and Castlemaine. Mr. Chairman referred to the examples of parking bollards he submitted in the email and then turned the meeting over to Mr. Smalley.

Mr. Smalley presented the most recent revisions that include the changes discussed at the last meeting. Mr. Chairman asked to go back to something in Section 604-C, Subarea 2, on page 3 of the document. He shared that when he talks to folks in the community they ask about the 7,260 square feet and 14,520 square feet, and want to know what that means in terms of units per acre. Much discussion on the subject of open space consideration, sidelines front lines and rear lines, and on how to clarify this. Mr. Smalley stated that we need to add something for open space. Mr. Konstand felt we should say that we have no minimum lot requirements, they just have to comply with side, front and rear lines, and that the density will be 6 to 1, or 3 to 1, depending on the case. It was determined to change the verbiage to max and min units per acre in this and on Table 604-2. It was noted that in Table 604-1, the Conventional Residential Subdivisions line could be deleted. Mr. Smalley stated that we need to look at the base zoning rules as there might be more to it. Mr. Konstand said that we have to state that the open space does not include the ground under 77. We will write up our own open space standards for the

Commission's review and not reference Sec 503-E in Table 604-1. Regarding Section 604 – C and Table 604-2 for Subarea 2, it was determined to change the verbiage to max and min units per acre in this and on Table 604-2. "The maximum density of six units and a minimum of two units."

Mr. Chairman went back to page 4 and questioned gasoline stations (fueling only) being a conditional use in Subarea 1. He had issues and wanted to know if they could be removed because the area will be congested. It becomes a safety hazard, doesn't fit the Bath environment and these just aren't gas stations. They are huge convenience stores; these are some of his comments, in part, from just chatting with people in the community. Mr. Funk reminded that the underlying zoning is B-1, so anything in B-1 is already a conditional use. It can be developed as a B-1 and then continued at commercial development in the B-1. But he felt that allowing it as a conditional use under the PUD lets us limit the size of the commercial development and we get the residential. A gas station could go in now under B-1, and that whole property is developed under B-1; or, you could have a person under the PUD have the gas station, or whatever, and the rest of it be developed residential. Mr. Konstand clarified to say if they elect to the overlay, they cannot piecemeal. They go existing zoning or they go the overlay for the whole property. And as far as traffic and safety, Mr. Konstand stated that a light will be there and we know Summit County is going make sure, traffic wise. that it is protected. Mr. Funk restated that the ultimate goal is to get the residential side of this and stop the commercial growth. We are also talking about buffering between Subarea 1 and Subarea 2 and buffering along Ghent Road. Mr. Smalley referred the members to page 7 that spoke to the buffering that was added from last meeting. Mr. Chairman said, and part of that is that we don't want any part of the drive through. Mr. Konstand felt that was too restrictive. Much discussion was had on the subject and Mr. Funk stated that a lot of this goes back to design standards, landscaping, buffering, lighting and everything else we are talking about. This is the stuff that will impact development. Hopefully, we can steer applicants to the overlay district. Regardless, Subarea 1 is such a small area it's almost limited to one use/one building; whether it is one commercial building or one mixed use we probably won't get much more than one building. Other comments led to removing Section 1005 and we will put in what we need standard wise.

Mr. Smalley moved on to the lighting Section 8 (H) and stated they tried to add provisions to shield and limit trespass, have curfews and a lot of the language was taken from dark sky provisions from other existing codes and modified. He made the point that this area is right next to a highway. We want to limit lights, but to what extent. A note was made to delete the "meet the requirements described in Section 803" statement. Discussion ensued on the impact from lighting, actually seeing the light bulb and versus seeing the lights, and how high or low one is to the light fixture. With respect to residential versus commercial, we need to be very specific when it comes to residential on some of these things. Mr. Chairman inquired if we had anything that measures candlepower. Mr. Funk didn't know if we did have anything. A note was made to change the word "Seasonal" to "Holiday" on c. regarding exceptions, to match our existing code. Mr. Smalley said we should review item e. ii. - under outdoor lighting, because 50 feet from the residential building will most likely be in the next person's property with side setbacks. We should just define the security lighting as garage doors and ingress/egress points of the house and that they can have lighting all night. We can also specify "soft" lighting for the security lighting. Also, state the outdoor lighting shall only be used in the backyard and/or shrink the 50-foot limit,

maximum height of the cutoff height shall be 14 feet, have downward lighting and mimic the lights in the back parking lot of the Township. Also suggested was to add that all utilities should be underground.

Mr. Smalley moved on to the curfew section and it was noted to add “by 50%” in Section (H) j. 1. to ... lighting level of all fixtures “by 50%”. Discussion was had on putting in new standards for 24-hour businesses. Mr. Funk felt maybe having the signage lighting drop down would also help, have nothing internally illuminated and allow external illuminations so they’re not all bright. Mr. Smalley will review our sign standards to understand the illumination and find guidance regarding lighting at 24-hour businesses.

Under Section 604 – F, B, 6 - Architectural Standards for Residential Buildings, it was discussed to change the words “no concrete block or concrete poured” basement walls shall be exposed above grade. Maybe state non-decorative, non-concrete block. Mr. Smalley will work on this language. Discussion moved on to Section (I) - Accessory Structures and the Commission reviewed the language and were good with it. Mr. Smalley then asked about the noise standards and his concern was can we enforce this. Do we say that a noise wall be put in between commercial and residential properties? Mr. Konstand stated that we do refer to county noise standards and suggested putting some additional language in the overlay standards. Mr. Smalley will work on the things we need to figure out with lighting and noise. He will get the revised version to the Commission, as soon as he is able, prior to the next meeting.

- VI. New Business: N/A
- VII. Miscellaneous: N/A
 - a. Committee discussion – N/A
- VIII. Citizens’ Comments – none.
- IX. Next Meeting – to be determined.
- X. Adjourn