



## Bath Township Zoning Commission

July 17, 2025 – Work Session Minutes

Approved: 8/6/25

MEMBERS PRESENT: Chairman Richard Bradner, Joy Kosiewicz, Marshal Pitchford, Kristin Sanchez, Legal Counsel Bob Konstand, Planning Director/Zoning Inspector Bill Funk, and Zoning Secretary Nanci Noonan. Emily Hete and Kyle Craven were excused. Residents Dave Blackie and JoAnn Alexander were also present.

- I. Call to Order – Roll Call
- II. Pledge of Allegiance
- III. Approval 6/2/2025 minutes: Motion to approve by Mrs. Mrs. Kosiewicz. All in favor, motion carried.
- IV. Zoning Report – Mr. Funk presented the zoning report for May and June.
- V. Unfinished Business: Ghent Overlay District – Mr. Ryan Smalley, consultant from Envision, spoke to review the public meeting comments. He stated he wanted to address some of the comments that were made at the meeting. He made a few changes to the actual text to clarify understanding, because several things that were brought up were just not true. Additionally, we felt it helpful to illustrate this more visually and put a site plan together, a rough one, not perfect, but to give everyone an idea of what could actually fit on the site with all the constraints that are within the zoning overlay. The whole idea of the “Overlay” concept came out of the Comprehensive Plan to protect commercial development from going down the hill and encroaching upon the rural residential areas of Bath . The whole idea is that we wanted to be able to allow for highest and best use at the interchange that was commercial but not have issues in the future. For example, where the Cookie Lady’s house is and the dentist applied to rezone from residential to commercial. We did not want to have the commercial spilling down the hill and having adjacent uses to those areas that were commercial.

Mr. Smalley explained that through the Comprehensive Planning Process, the idea was to come up with tiered intensities and different uses at the interchange, and then as we move north only residential uses. That was the whole reason that we did this; to try to protect the Township from commercial uses spilling down the hill. Some of you were on the committee and are aware, but this is where this all came from and why it is all happening. Mr. Smalley stated that that this same presentation was given to the trustees to reinforce what we are doing and why we are doing it. As far as the Overlay District goes, the same limits as those that are within the Comprehensive Plan are right here, same parcel limits, same area, all of that is still within the mixed use district. And the idea, again, was to stop that commercial

growth. Mr. Smalley then presented a new slide for the members' benefit. He stated that, based on the public comments that happened at the Public Hearing, a statement was made that "180 homes could go in." Mr. Smalley told the Commission that 180 homes that cannot go on this site. Yes, you can go up to six units an acre. Yes, there are 30 acres within this development that are not under the highway; but you cannot get 180 homes on this site, and here is why. Because we have the Overlay Zoning Restrictions, all the setbacks, and the minimum size requirements for various buildings.

Mr. Smalley presented a rough development plan that they had drawn up. Obviously, a developer will do better than this and make it more efficient. But we wanted to give you an idea of what each one of these sizes of these lots could be at maximum. He noted the buffers on the north end and showed the 50 foot buffer there. Mr. Smalley stated this is assuming, again, everybody wants to sell, everybody gets the price they want and a developer comes in and says, yes, I want to develop this entire thing with residential. All probably being fairly long shots. But we are trying to replicate the worst case scenario, the densest scenario, with the most houses. What would that look like? So, the first thing we did was put in the buffer. He pointed to the red line around the edges that dictate the 50 foot buffer on the north end. That was put in to protect those northern parcels. Along Cleveland-Massillon and Ghent Roads there is 15 foot buffer. That is what we came up with the shielding so that we would not see these homes' backyards or front yards, whatever they might be from the roadway, so they were shielded there. Then we highlighted the areas that we know are going to be off limits that are either steep slopes, wetlands or a lake that are not going to be able to be built on. This comes from GIS data that we put together for this area, so these areas are pretty much going to be very difficult to build on. And then we said, okay, we need to allocate 35% of this to open space, which does include the buffers. But that is not enough to account for the area that is needed for open space, so we also left some area open for open space. We then went in and said, okay, we have minimum size requirements for the first floor of any of these homes. It is 1,800 square feet with a basement. That would be the smallest square footage you could have. You could have bigger if you do not have a basement, it is 2,000. He pointed out the little boxes of square footage of the brown boxes and noted that the lots themselves all have setbacks. So, the minimum setbacks are 10 feet on the side yards and 30 feet for the front yard setback. Then, in the backyard along the northern border, we also added a setback that was 50 feet from the buffer, so you could not build your house within 100 feet of the northern border line. So that is what this all sort of represents here.

We tried to pack in as many as we could; what is shown here is 56 homes. Mr. Smalley stated that it is not perfect, someone could probably be more efficient with it. So, maybe you are looking at 55 to 65 homes in Subarea 2, with all the restrictions that we have put on within the code today, not 180, but 55 to 65. He shared that it comes down to a density of roughly 2.25 units an acre within Subarea 2 as a whole. Now, in one area, there is six units an acre, but overall, the with overall acreage it is 2.25 as shown on the screen.

Mr. Chairman asked if this layout is all standalone homes, single-family detached. And Mr. Smalley confirmed yes, that is all that is allowed. They broke down some of the space requirements but the total acreage, less than the area that is underneath the highway in Subarea 2, is 25 acres if everybody in the mixed use district all sold to the same developer

and developed at once. There is roughly five acres in Subarea 1. Mrs. Sanchez spoke to say, knowing that we have a newer resident in attendance, one option is the zoning stays the same in all the parcels that are there. Someone could, technically, right now buy what is in Subarea 1, that is what's for sale and build according to zoning within there. That could be option one. Someone goes and says, hey, they talk with other neighbors and buy. These are parameters to say you don't just go, buy, and build a big department store or something, right? Mr. Smalley confirmed that to be and said that the idea is that this overlay provides an additional option for a developer in this area. We kind of spell this out in the zoning code too. They could go with the base zoning, which is, B-1 all commercial uses. And then there is the R-2 area, and you go in this area with the overlay zoning, which allows for mixing of uses in Subarea 1 and only residential in Subarea 2; only, single family, detached, owner occupied residential. Mr. Smalley presented some examples of other places in Bath and adjacent to Bath with similar and different densities. He referred to Crystal Lake's condominiums and stated that they have an average density of 2.8 units an acre. A little bit denser than what would be built, in the worst case scenario, with what we have in there today on the Ghent Road site. Crystal Lake is denser than what would be the densest scenario in the Mixed Use Overlay. Mr. Smalley then presented the Rising Meadow development that borders Bath Township and stated that it is 2.4 units an acre. So again, roughly the same density. The houses are all single family, detached. And then he presented one of the examples that they based the development off of. It is off of Wheatley Rd. in Richfield, by Glen Carin Forest. Mr. Smalley stated there is a large single-family development, with detached homes and he pointed it out via the exhibit. This development is at 2.1 units an acre with some fairly large green space. He hoped this provided some real life examples of things that are similar in density or denser.

Regarding changes to the text, Mr. Smalley provided the change to the allowable use table. He stated that, under the allowable use table, we did not have conventional subdivisions permitted in Subarea 2, which was a good catch. Conventional residential subdivisions were added as "permitted". The other item that was brought up was the northern buffer. He read the edits made under Section Eight, Buffering, Subsection A, where we have the definition of the northern boundary. We say there, in addition to buffering, in addition to the buffering standards in Section 1006, buffering along the northern edge, we added "of any development within the Ghent Interchange Overlay District" shall meet the following minimum standards. We added the northern edge as defined by the northern most continuous boundary of the development that runs from Ghent Road to I 77. No matter how that works at minimum, this is going to be bought and developed.

Mr. Dave Blackie, of 1065 Ghent Road, wanted to comment and introduced himself. It seemed to him like this is a great area for commercial. You do not have to let it go down and ruin the rural aspect. Mr. Smalley noted that this was a big debate throughout the entire comprehensive plan process. Mr. Konstand added that the community has been pretty vocal about no commercial. (Mr. Chairman noted for the record that Marshal Pitchford was in attendance and arrived soon after roll call.) Mr. Funk pointed out Mr. Blackie's property via the exhibits on screen and Mr. Blackie stated that he has a riparian corridor going through his property. He had no problem with somebody putting houses there, he just thought it would be better for commercial use than just for houses. He shared that he has a six-lane highway

to the east of his house, a four-lane highway in front of his house, with commercial on the back side and directly across the street. Mr. Smalley assured Mr. Blackie that any time we brought up development in Hamlets or down on Springside, universally it was not something of interest to the Community. Most everything developed in the plan was to try and protect from development, particularly commercial development coming in different areas of the Township. Mr. Konstand walked Mr. Blackie through the overlay district and the scenarios, regarding his property and the UH property, for him to understand how his property could conceivably be developed if he sold.

Discussion ensued regarding what would happen if only a portion of the property were sold, the 12 acres minimum and the 50 foot buffer. Mr. Pitchford felt we have to be very careful to make sure that the border does not only apply if the project goes all the way from street to street, from Highway to Ghent. Because if the potential development does not, and I am a developer, I would ask where does it apply now? The buffer does not apply now. Mr. Konstand stated that we say it is "within the development." The key would be to run the northerly line between Ghent and 77 for that part that is within the development. Mr. Konstand used the exhibits to outline what potential questions could arise. He walked the Commission through a couple of scenarios to outline the buffers and worked out the details. It was recommended to take out the reference to the two highways and say "the northern most continuous boundary of the development."

Mr. Smalley will send the two changes, with a new set of red lines and, the discussion on how to define the boundary better, for the Commissions' review. What we were doing today was trying to illustrate what the maximum development would look like. Mr. Chairman felt that they were not ready to resume the public hearing August 6<sup>th</sup>. Mrs. Sanchez stated that in order for that to happen we want to make sure we addressed all the comments from the last public hearing, which sounds like we had addressed them. Mr. Chairman stated that the one thing that is very clear is the density question. Mr. Smalley agreed and stated we need to present that information. Mr. Funk said that we are not in a rush, we have time; it would be a good idea to hold the public hearing on August 6, review the revisions per the public comments, present the option 1 of everything staying under current zoning, or, option 2 if someone were to buy all of it; presenting what could be and then here's what happens if there were parcels. And, present the three development scenarios Mr. Smalley provided today for the public. The Commission thanked Mr. Blackie for coming and speaking with them.

**VI.** New Business:

- a. None – Mr. Funk presented that we are working on the RFQ process to help hire consultants to help us through the zoning resolution update.

**VII.** Miscellaneous:

Committee discussion – none

**VIII.** Citizens' Comment - none

- IX.** Next Meeting – reconvene the Public Hearing on **Wednesday**, August 6, 2025, at 6:00 P.M. followed by a Work Session.
- X.** Adjourn