

ZONING COMMISSION
January 12, 2023 - 6:00 p.m.
Work Session

Approved: 2/23/2023

- I. Mr. Chairman called the meeting to order and roll call was taken.

Members present: Chairman Richard Bradner, Vice Chair Maryellen Burnham, Emily Hete, Scott Meyer, Marshal Pitchford, Kyle Craven, Planning Director/Zoning Inspector Bill Funk and Zoning Assistant Nanci Noonan. Joy Kosiewicz was excused. Bob Konstand was in attendance via Zoom.

- A. Pledge of Allegiance
- B. Election of Officers: Motion to renew Mr. Bradner as Chair and Mrs. Burnham as Vice Chair by Mr. Meyer; seconded by Mrs. Hete. All in favor, motion approved.
- C. Approval of November 3, 2022 minutes: Motion to approve by Mrs. Burnham; seconded by Mr. Pitchford. All in favor, motion approved.
- D. Zoning Report for 2022 will be presented in February.
- E. New Business:
- F. Old Business: Mr. Funk spoke of the zoning resolution updates that began in 2022 and got sidetracked due the Holiday Inn rezoning project. He would like to resume by going over the revisions to date. Swimming pool cover and setbacks: We have drafted and agreed upon some language to allow for the automatic covers in lieu of fencing, as long as the cover meets the ASTM standard, that it is locked when not in use and the property is a minimum of two half acres. The setback from the pool to the home was modified as well, from 20 to 10 feet.

Accessory dwelling units: The definition was changed to clarify that its use is to be by some one that is related. Also, the current setback was 100 feet and we dropped it down to 50 feet. He noted that the Board of Zoning Appeals puts requirements on conditional uses, i.e. the property owner puts language in their deed restrictions that they cannot be used as a separate residence.

Commercial accessory structure size: We clarified the maximum size for all structures, on an individual property, in the business districts is 144 square feet, or a 12 x 12 shed.

Parking of recreational vehicles: We discussed location, duration, screening, surfaces and a definition. Language needs to be prepared and given to Commission for review.

Flag lots: This was about the width of the flag pole portion of the lot, so we clarified the minimum pole portion would be 25 feet in width.

Parking lot maximums: We changed the wording from “minimum parking standards to “maximum parking standards”. Mr. Chairman stated that we need to do something about

increasing the width of our stalls space. Mr. Funk said we could look at them, but basically the larger the stall space the more impervious surface, or fewer spaces. Currently, our spaces are 9 feet wide. Mr. Meyer suggested 10 feet possibly. We will do some research to clean this section up and look at the parking aisle width.

Roof overhang unsupported/supported accessory structures: This had to do with structures with “roof overhangs” and whether they would count in the overall square footage calculations. We determined that if they were unsupported, and under a certain number, they would not count in the calculation. But if they were a supported overhang/lean-to, they would count in the calculation. Mr. Funk said we were going for 3 or 4 maximum feet on the overhang.

Riparian regulations: Mr. Funk shared that he has been working with Summit Soil and Water to try and get them aligned up closer with the County regulations. He noted that there are a couple sections in the County regulations that he would like to align ourselves with to make it easier on us when reviewing and enforcing riparian projects.

Conditional uses: the Appearance Review Commission asked for recommendations as a result of an application that dealt with a parking lot for a church in a residential district. It’s about how we look at certain conditional uses in certain residential districts and the impact from them. They asked that we look at the process and the uses and to clean up the language for a clear understanding. Mr. Funk stated that Mr. Konstand is looking at this as well.

Sign regulations: Wendy Moeller of Compass Point Planning to look at our regulations in terms of the changes on the laws that are out there, i.e., temporary signs. Basically, not classifying types of temporary signs, more just classifying them all as temporary signs. We need a clearer understanding of the length of time a temporary sign can be up. Our regs currently seem geared toward commercial, versus noncommercial and political signs. We will ask Wendy look into this and provide opinion.

EV charging stations: Mr. Funk informed the Commission that he didn’t think this was something big until a contractor sent over a preliminary site review for a new EV station across from the Starbucks at West Market Plaza. The proposal was for the right-hand parking area just after the three-way stop coming in from Market. He noted that the transformer boxes are rather large. Currently, we have one EV charging station at Huntington Bank but not with a large box as was on that site plan. We have no regulations so we should probably lay out some standards quickly. We should look into what is out there currently. Mr. Konstand stated he needs to look at it; does it constitute as a business if it is charging people to use it? Maybe we have Wendy look at it also as this important. Obviously, it is coming in quickly so we should get something in our regulations and update the fueling station definition to include EV language. Mr. Konstand stated that by making an EV a conditional use that is where we would have some control over it. This will be looked into a little more.

Bollards: Mr. Chairman reminded that we did talk about bollards back in May of last year. He did some studies associated with them and found good and bad. Bad news is that people get hurt when not installed. He felt we needed something to touch people’s lives in a positive way. Bollards are one way; they can be made so they are attractive and fit into our community. Mr. Chairman said they could cut down crime - referring to the robbery at the northern end of the Township where somebody drove into the building. Had there been appropriate parking bollards we wouldn’t have had this issue. He mentioned Target and

how they use the large architectural red balls and other entities have used planters for keeping pedestrians safe. Mr. Konstand advised that this is a building code issue, meaning we could possibly regulate the aesthetics but not the installation of them. Mr. Konstand needs to look into this further. It was agreed that aesthetics is key because there are cases where bollards are not maintained and don't look so nice. Regarding the cost of bollards, Mr. Craven presented that they can be very expensive. Mr. Pitchford added to say that we have a responsibility to protect our consumers but also a responsibility to be fair to our owners; so there will have to be a balance.

Short term rentals: Mr. Funk shared that he has been watching House Bill 563 regarding short term rentals. Basically, state regulations would strip us of certain powers of regulating them. Bill will send the link to the House Bill and some language received from surrounding communities. Currently, we deal with them as conditional uses; short term rentals and Airbnb's are prohibited. However, potentially there could be some changes in the law outside of what we can and cannot do. Bill will work with Bob to go through with some language.

G. Miscellaneous: Mr. Craven inquired about the downturn wires hanging from telephone poles going down Cleveland Massillon Road. He wondered if we had jurisdiction. Bob informed that we tried to ascertain who owns the pole or whose wires they are. It is an issue as these are county roads and county right of ways. Mr. Konstand suggested finding a good case of where this is happening, take it to the County Engineer, and see what they can do.

H. Mr. Funk then updated the Zoning Commission on the Holiday Inn property. The Zoning Commission's recommendation has not been taken to the Trustees as of yet. We are trying to give the developer time to get the traffic study approved through O.D.O.T. and time for the County Engineer to look at it as well. Hopefully, we will have answers on the traffic impact study as we think it is important. It was shared that the Appearance Review Commission held a preliminary site plan and elevations review this past Monday. Hoping to have everything in front of the Trustees in February.

Mr. Chairman commented that Vito wrote a great article in the Bath Country Journal on the Bath Township Community Survey results from last year. He stated that there are very good, noteworthy things in it that we could get direction from. He encouraged the members to read the Bath Country Journal as well as the survey results online if they had not already.

II. Mr. Chairman adjourned the meeting.

Next meeting will be a Work Session on Thursday, February 9, 2023 at 6:00 PM.