

ZONING COMMISSION
May 12, 2022
Public Information Meeting – 6:00 P.M.

Approved: 5/26/22

Case ZC-22-01 – Dr. Timothy Pristas requesting to rezone the property, through a map amendment, from an existing R-2 Residential District to a B-4 Restricted Business District. Property is located at 1075 Ghent Road in the R-2 Residential District.

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 Maryellen Burnham, Joy Kosiewicz, Scott Meyer, Jeremy Rowan, Legal Counsel Bob Konstand, Planning Director Bill Funk and Zoning Secretary Nanci Noonan. Jim Hower and Emily Hete were excused.

Zoning Secretary certified that the public notice was published in the West side Leader, Thursday, April 28, 2022 and read the notice into the record.

Mr. Chairman called for a motion to untable the case. Motion to untable Case ZC-22-01 by Mr. Meyer; seconded by Mrs. Burnham. All in favor; motion carried. Mr. Chairman informed the public that no comments would be taken by anyone other than the applicant this evening.

Mr. Funk presented a review of the case that was originally opened in 2021 and tabled to do further study of the Ghent Road Corridor. He shared that since that time the applicant has revised the original plan. Therefore, this meeting is designed for the applicant to give the public his new information. Mr. Funk presented the R-2 and the B-4 zoning districts and an overview of the site on screen:

- *R-2 Residential District: The purpose of the R-2 Residential District is to establish areas for single-family dwelling units in portions of the township where there are limited public services and where there are concentrations of natural resources.*
- *B-4 Restricted Business District: The purpose of the B-4 Restricted Business District is to provide for office and institutional uses in locations adjacent to retail areas and in areas easily accessible to the major arterial system of roads. Carefully controlled site development is necessary to encourage a functional and aesthetically pleasing office environment and to protect the residential character of adjacent areas.*

Mr. Funk introduced Dr. Timothy Pristas and Dr. Jennifer DiPiero to present the revised plans. Dr. Pristas gave a little background on himself and Dr. DiPiero and their vision to benefit the health to the community of Bath and the Revere School District. The two of them went through dental school together, learned their craft and feel they have a good relationship to enter a partnership. Now that they are both back in that area this is something that has been in the works and they want to bring it to fruition. Dr. Pristas has returned to Bath, bought a home here and wishes to better service the community for oral health care in the area. They are here to share the plans and hope they can move forward.

Dr. Pristas stated that this process began a long time ago with the apex property that didn't work out so, their attention turned to 1075 Ghent Road and they acquired that property last summer. He presented that the project did go through Summit County Planning and had received the approval for commercial use from them. At that time the Zoning Commission asked them to table the case, and they did, so the Commission could study the Ghent Road Corridor and the process of the overlay district. Since then, they have done a boundary survey and now have the building plans as well. Dr. Pristas and Dr. DiPiero walked the Commission through the site plan, tree lines and building elevations via their exhibits on screen. Dr. Pristas stated that they plan on keeping all the boundary trees and making the site very secluded and private in a beautiful setting. The access drive to the neighboring properties would be maintained by him and will grant sole use to the residents in that area to give them their own driveway; the development would not interfere with that. Dr. Pristas attested that there would be new trees planted, with a mound and Evergreen perimeter; including Norway spruce, hemlock, beautiful large evergreen trees that provide four seasons of visible and noise block around

the site. Applicant stated that the egress plans are to come in at the new light, to give access into the property, controlled by the intersection through Summit County Engineering. This will control the traffic pattern and it would be something that would be the least amount of disturbance.

Dr. Pristas presented that they initially submitted a maximum operational use drawing that was a 10,000 square-foot building footprint, with a lower level of another 10,000 square feet, with about 100 parking spaces. But, he stated, that was never their intention; it was just what could fit the current development plans set by Bath. He presented the current plans they want to move forward with, via his exhibits on screen, stating it is for a 5,000 square-foot footprint. He demonstrated the ingress in and out at the light and the actual Evergreen borders again. He pointed out vegetation and trees all throughout the parking lot which is between 55 and 63 spaces. There is a covered drop-off area for ADA patients and to give privacy for patients to exit the building. Dr. Pristas explained they want the building to be benign and match the park like settings. This building is projected to be just slightly to the northwest of the existing home. This is in best development to the slope of the land and also at the intersection of the light. He explained that the parking would be behind the building.

The elevations were presented on screen and Dr. Pristas stated the building materials will be natural stone, wood siding, big windows and slight architectural details. He referenced Kendall Lake Park's Overlook and stated that is a very similar structure and it was their inspiration. Mr. Chairman asked about the operation hours and Dr. Pristas shared that the hours will be Monday through Friday, with alternating Saturdays, 7:00 AM – 7:00 PM at maximum capacity. Applicant continued, stating the main floor is for operations and the walkout basement will be used for staff betterment, staff training and a place for their team. It is their belief that it is important that they take care of each other and to provide a unique space for their teammates. He added that the outdoor lighting coming in would be minimal as the building is visible, so it does not need to be lit up like Las Vegas. It will be soft, natural and benign. Additionally, the restricted hours of maximum traffic will not be intrusive to neighbors within the community. Dr. Pristas continued with the elevations and the colored renditions and explained the primary and secondary entrance points. They will offer comprehensive care so patients can come in and out privately. He explained comprehensive care means they will be to do advanced procedures, full operative rehabilitations, dental implants, endodontic root canal therapies, Invisalign, same day milled crowns, etc. All the services will be controlled under one administration.

Dr. Jennifer DiPietro presented to the Commission that she has had a practice for about 7 years down the valley in Akron. The practice has taken off and really grown to the point where she's so busy that they cannot do comprehensive care to the level that they would be able to do in the proposed building. They are booked with general dentistry and have to refer special services out. Dr. DiPietro stated that the new location would be to do everything under one roof. They'd like to be a family dentistry that offers full care because patients love being able to go to one place and get everything that they might need done. What they are proposing is rare and would be a huge asset to the community because they will provide established care to established families and remove the fear of going to the dentist. Bringing it in it all in house will provide the highest standard of care versus going to a chain dentistry. Dr. Pristas said, in an ideal setting, they would have two dentists working in the morning and evening and four dental hygienists supported by almost a 20-member team. Dr. DiPietro stated that she will move her practice to this location. Currently, her facility is 2,000 square feet and busting at the seams. The space has no place for people to eat lunch, has only one bathroom and they are using her parents' basement as a storage facility. She shared that they would be able to grow into this new proposed building very well. Dr. DiPietro walked the Commission through the main floor pointing out the 12 operatories for patient care around the perimeter. She noted the windows, the spacious, private rooms, and the surgical rooms as well as the reception/waiting area. The design is something like a ski lodge, with a nature feeling. Dr. Pristas explained that they wish to maximize patient security, patient experience and the best care possible. Additionally, it will give a career path for members of the community that want to be in the dentistry field. As dentists, they are one of the most predictable businesses with over a 99% success rate long-term. Mr. Chairman inquired as to how many employees they would employ and Dr. DiPietro stated probably 20 – 24 staff members at most, rotating through the day.

The presentation continued and the lower level was presented. Their belief is the better they take care of their team, the better care the team will take with the patients. They walked the Commission through the rooms which included a break room and kitchen, laundry room, storage, exercise room and lockers and training rooms for continuing education and team meetings. They also identified the space for an in-house dental lab. The dental lab will assist them

in controlling quality and time for patients. Total the square footage will be 5,000 square feet and it will have an in-house milling machine. Dr. Pristas attested that with their different standards of training that they have achieved they will have the ability to help the community and other dentists achieve that as well.

Mr. Chairman asked about potentially hazardous waste and how they plan to deal with it. Dr. Pristas replied saying the big thing in and Bath and Richfield are the water runoff. He lives on Yellow Creek so he is very aware of what can happen when it rains on Yellow Creek. He referred to his drawings on screen and stated that there will be underground water tanks in the parking, which would be an extra type of water storage to the back, and then that natural flow to the sewer system. He attested there would be less runoff than there currently is now and it will be held, contained and reduced. Dr. Pristas shared that the dental materials they use are governed by the O. D. A. and the milling is not hazardous materials. Regarding dental amalgam (lead metal) fillings, Dr. DiPiero stated it is law that they have to have a filtration system hooked up to their water system that will collect all of it so it does not go into the mainstream.

Mr. Meyer inquired of Mr. Funk if this plan provides opportunity for future development on the property and Mr. Funk stated, potentially, yes it would if you look in terms of open space. Dr. Pristas said it will be owner occupied and it is an all-in investment for them. Mr. Meyer shared that he is impressed with their vision for the business and the business plan, however the issue as a Commission is not whether your business is appropriate but is it appropriate to rezone that property regardless. And if we do, are we comfortable permitting whatever is allowed in zoning. Dr. Pristas appreciated that and he would be very concerned about that too as a resident; however, they are not asking for a blank check but a specific proposal. He noted that in the past there were conditions asked for to be attached to the proposal and they have been open to all those conversations. Mr. Funk clarified for everyone that whatever is permitted within the B-4 regulations would be permitted on the site without any restrictions. Mr. Konstand, Township Legal Counsel, stated that one of the tools we have used in the past are “use restrictions”, which are covenants running with the land. If the zoning would go ahead, before it would be ultimately approved, we would ask Dr. Pristas to record use restrictions, that Mr. Konstand would draft, that would substantially comply with all of the representations that are being made tonight; and that Bath township would have the right then to enforce those restrictions if something else happened. Even to the questions about expansion, we could limit expansion through the use restrictions. That would be the tool that the Township would use to implement exactly what is being proposed. Unfortunately, under the Ohio Revised Code, if we don’t do something like that then, as Bill explained, the property owner can do whatever they want, within the B-4, once they get the rezone. Mr. Konstand reminded the audience that with a rezoning request, the Commission makes a recommendation to the Township Trustees, and when it goes before the trustees that agreement would be in place.

Mr. Meyer inquired on any conversation that Dr. Pristas may have had with the neighbors thus far and Dr. Pristas responded by saying they did have a couple meetings previously and lately they have met individually several times. They welcome any communication as they go through the process. He believes the proposal now is much better than it was previously. They continue to be neighborly and welcome the neighbors to reach out to them at any time. A question about parking came up and Dr. Pristas stated there will be 55-65 spaces; that is to accommodate both staff, team members and patient care. He noted that, usually, you need to count about two occupied operatories per patient time; and that is to meet with both Bath and the medical standards and occupational use. Mr. Funk clarified that the just first floor’s 5,000 square foot dental floor area will be calculated into the office use space so, the minimum required is 55-63 parking Spaces. Some will be need to be land banked. Mr. Rowan felt that this is a much-improved design over the first concept that was presented. It makes more sense to tie into the intersection versus coming off the existing driveway. His only concern with the building placement. If he lived in the house, just down the hill, the building is now closer than it would have been before; but he understands why they did that. He commented that the design looks very good. Dr. Pristas informed the Commission that they will add landscaping to make it as rural as possible. Mr. Chairman wanted to make sure that trash pickup would get squared away with and does not begin at 7:00 AM.

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

Motion to table the case until Thursday, June 9, 2022 by Mrs. Burnham; seconded by Mrs. Kosiewicz. All were in favor, motion carried.

Mr. Chairman to general discussion. He stated that the Commission would like to go and visit with the neighbors, the Mr. and Mrs. McClarnon and Mrs. Damitz. Mr. Konstand informed the members of the public that all the information that was presented this evening will be put on the Bath Township website for viewing purposes.

Post this meeting, the site visit was scheduled for Thursday, May 26, 2022.

Mr. Chairman adjourned the hearing.