



**Borough of Bath**  
 121 S. Walnut St., Bath, PA 18014  
 Phone: 610-837-6525 Fax: 610-837-8989

**APPLICATION TO THE BOROUGH OF BATH COUNCIL FOR  
 CONDITIONAL USE HEARING**

**ALL THE INFORMATION REQUIRED BELOW MUST BE PROVIDED IN ORDER FOR THE APPLICATION TO BE  
 CONSIDERED BY THE COUNCIL. FAILURE TO SUPPLY ANY REQUIRED INFORMATION MAY RESULT IN A  
 DENIAL OF THE PETITION WITHOUT REFUND OF THE FEE**

**PLEASE REFER TO THE CURRENT BOROUGH OF BATH SCHEDULE OF FEES FOR UPDATED APPLICATION FEES  
 ASSOCIATED WITH THIS HEARING**

Street Address	Apt. or Tenant Address	City and State	Zip Code
Subdivision	Lot Number	Parcel Number	Zoning District

Property Owner: \_\_\_\_\_

Address: \_\_\_\_\_

Work Phone: \_\_\_\_\_ Home/Cell Phone: \_\_\_\_\_

Email: \_\_\_\_\_

Tenant: \_\_\_\_\_

Address: \_\_\_\_\_

Work Phone: \_\_\_\_\_ Home/Cell Phone: \_\_\_\_\_

**Docket #**

**Date**

Email: \_\_\_\_\_

**Note: Please attach any written proof of such interest in the form of a lease, agreement of sale, option, or other similar documents in writing**

List the specific use of the property which is the subject of the Application (attach additional sheets if necessary):

The Applicant claims that the Conditional Use should be granted for the following reasons: *(Note: cite all sections of the Zoning Code, other Borough Ordinances, state statutes, or other laws or regulations in support of your position. If there is insufficient room below, Applicant shall attach a separate sheet citing additional section(s) relied upon.)*

List the exact dimensions of the property:

List the square footage or acreage of the subject property:

Set forth any streets or alleys upon which the subject property abuts and list present buildings setbacks and building setbacks for proposed structures.

**Note: the Plot Plan, drawings, sketches and other exhibits required to be submitted are attached as exhibits and are made part of this Application.**

Present use of the property which is the subject of the Application is:

Present Zoning Classification of the property which is the subject of the Application is:

Please list the names and addresses of all owners of property located within one hundred (100) feet of the property for which action is requested are as follows: *(If there is insufficient room below Applicant shall attach a separate sheeting listing said owners.)*

**Docket #**

**Date**

State whether the property for which action is required is located within five hundred (500) feet of the boundary of another municipality, and if so, state the name of the municipality:

Set forth any additional information or exhibits which the Applicant feels is relevant to the disposition of the Application by the Borough of Bath Council:

**ALL APPLICANTS HEREBY CERTIFY THAT THE INFORMATION SET FORTH ABOVE IS TRUE AND CORRECT AND MAY BE CONSIDERED BY THE BOROUGH OF BATH COUNCIL IN DISPOSITION OF THE APPLICATION**

\_\_\_\_\_  
**Signed by Applicant**

\_\_\_\_\_  
**Date**

\_\_\_\_\_  
**Signed by Owner**

\_\_\_\_\_  
**Date**

**CONDITIONAL USE HEARING LIST :**

*(A copy of application & plans must be sent by mail only to all on list. Please indicate on the cover letter that these people have been mailed copies of the plans & application.)*

<i>Name</i>	<i>Title</i>	<i>Address</i>	<i>E-mail</i>
Michele Ehrgott	PC Chairperson	405 E Main St Bath, PA 18014	mehrgott@boroughofbath.org
Emanuel Mirabito	PC Board Member	270 E. Northampton St. Bath, PA 18014	<a href="mailto:mmirabito@boroughofbath.org">mmirabito@boroughofbath.org</a>
Chris Butera	PC Board Member	Bath, PA 18014	<a href="mailto:Pcm2@boroughofbath.org">Pcm2@boroughofbath.org</a>
Phil West	PC Board Member	Bath, PA 18014	Pcm3@boroughofbath.org
Bradford T Flynn	Borough Manager	121 S. Walnut St Bath, PA 18014	manager@boroughofbath.org
Colby Grim	PC Solicitor / Asst. Borough Solicitor	104 S. 6 <sup>th</sup> St. Perkasio, PA 18944	cgrim@grimlaw.com
Pat Armstrong	Borough Solicitor	104 S. 6 <sup>th</sup> St. Perkasio, PA 18944	parmstrong@grimlaw.com
Ron Madison	Colliers Engineer	941 Marcon Blvd. Ste 801 Allentown, PA 18109	Ron.madison@colliersengineering.com
Shawn Leidy	Zoning and Code Officer	121 S. Walnut St Bath, PA 18014	sleidy@barryisett.com
Frank Hesch	Council President	417 E. Main Street, Bath PA 18014	fhesch@boroughofbath.org
Michelle Ehrgott	Council Vice President	405 E Main St Bath, PA 18014	mehrgott@boroughofbath.org
Emanuel Mirabito	Councilman	270 E. Northampton St Bath, PA 18014	mmirabito@boroughofbath.org
Jim Lisiecki	Councilman	232 Memorial Bath, PA 18014	<a href="mailto:jlisiecki@boroughofbath.org">jlisiecki@boroughofbath.org</a>
Doug Hamadyk	Councilman	269 E. Main St. Bath, PA 18014	dhamadyk@boroughofbath.org
Lauren Bullsnake	Councilwoman	215 Sleepy Hollow Rd. Bath, PA 18014	lbullsnake@boroughofbath.org
Samantha Angst	Councilwoman	515 Easter Terrace Bath, PA 18014	sangst@boroughofbath.org
Fiorella R. Mirabito	Mayor	270 E Northampton St Bath, PA 18014	mayor@boroughofbath.org

**Thank you,  
Borough of Bath Council and Planning Commission**

**GENERAL INSTRUCTIONS FOR CONDITIONAL USE APPLICATION TO  
THE BATH BOROUGH COUNCIL**

1. All information requested on the Application to the Bath Borough Council must be supplied, together with all supporting documents required. Failure to provide the requested information shall be a basis for denial of the Application.
2. Eighteen (18) copies of the Application and plans must be mailed, not hand delivered, to the names on the cover letter. One copy and the original copy is to be delivered to the Borough Municipal Office, 121 S. Walnut St., Bath, PA at least 10 days prior to any regularly scheduled meeting or special meeting of the Bath Borough Council in order to be placed on the agenda for consideration at that regularly scheduled meeting or special meeting of the Council. *The hearing will not be scheduled for that meeting.*
3. The Conditional Use Application will be forwarded to the Planning Commission by the Borough for their review and comment prior to the Bath Borough Council Hearing.
4. The Applicant must be prepared to proceed with the presentation of evidence in support of the Application at the scheduled hearing. Failure to proceed with an Application at a hearing will constitute grounds for dismissal of the Application.
5. Any request for continuance or postponement of a scheduled hearing must be presented in writing to the Council. A decision to grant a continuance or postponement is within the discretion of the Council, and no postponement or continuance will be granted unless good cause is shown by the moving party. If a postponement or continuance is granted by the Council, the party requesting the postponement or continuance shall be responsible for any additional costs incurred as a result of the postponement or continuance. The Council shall notify a moving party of any additional costs incurred for which the party is responsible, and said moving party must pay in full those costs, prior to the next scheduled hearing. Any party requesting a postponement or a continuance of a hearing shall be deemed to have waived any and all time requirements for action by the Council set forth in the Borough Zoning Ordinance, or in the Pennsylvania Municipalities Planning Code.
6. At all hearings, proof of title to the property involved in the Application must be presented to the Council. If the Applicant is the owner of the property, in addition to proof of title to the property, the Applicant must present proof in writing of his interest in said property, in the form of a lease, option, agreement of sale, or other similar writing.
7. At the time of filing of the Application, the following filing fees must be paid:
  - (a) Residential Applicants – A flat filing fee of One Thousand and Three Hundred (\$1,300.00) Dollars cash or check made payable to the Borough of Bath must be submitted with the Application. The appearance fee for a stenographer shall be paid by the applicant. The Council reserves the right to continue any hearing or withhold its decision until the additional fees are paid.

The basic filing fee is non-refundable and non-returnable.
  - (b) Commercial Applicants – A flat filing fee in the sum of One Thousand and Five Hundred (\$1,500.00) Dollars payable in cash or check made payable to the Borough of Bath must be presented with the Application. The appearance fee for a stenographer shall be paid by the applicant. The Council reserves the right to continue any hearing or withhold its decision until the additional fees are paid.

The basic filing fee is non-refundable and non-returnable.
8. The Applicant shall furnish with the Application twenty (18) copies of a Plot Plan and diagram which indicates thereon all exact dimensions of the premises, the building setback lines, location of all buildings and structures, names of contiguous streets and alleys, and other similar information.

9. **The Applicant must furnish at the time of the filing of the Application the required number of copies of the building or construction plans, if applicable to the case.**
10. **If applicable, the Applicant must furnish plans showing accurate location of well and/or sewage or waste disposal systems, and location of other wells and drainage or sewage systems if within 100 feet of the subject property.**
11. **At the time of the filing of the Application, the Applicant must submit the names and addresses of all owners of property within 100 feet of the property for which action is requested. The Council shall give notice by Certified First Class Mail to all such property owners of the hearing at which the Applicant's Application will be considered. The cost of furnishing such notice by Certified First Class Mail to said property owners shall be the responsibility of the Applicant. A bill for furnishing such notice shall be submitted to the Applicant prior to the hearing, and said bill must be paid by the Applicant before any hearing or other action is taken on the Application. The fee for notice by Certified First Class Mail to said property owners shall be in addition to the filing fee required above.**
12. **All testimony presented on behalf of the Applicant at the hearing shall be presented under oath.**
13. **The Applicant shall have the right to be represented by counsel at the hearing and will be afforded the opportunity to respond and present evidence and argument and cross-examine adverse witnesses on all the relevant issues.**
14. **Formal rules of evidence shall not apply at the hearing, but the Council may exclude any irrelevant, immaterial, or unduly repetitious evidence.**
15. **No decision by the Council shall relieve any Applicant from the responsibility of obtaining any required permits in the manner prescribed by the Zoning Ordinance or any other local, state or federal law.**
16. **Applications will not be considered until all information is supplied, and fees paid.**
17. **All Applicants must sign the Application and certify that the information supplied is true and correct.**