

## RECORD OF PROCEEDINGS

Minutes of

DANBURY TOWNSHIP BOARD OF TRUSTEES

Meeting

BEAR GRAPHICS 800-325-8094 FORM NO. 10148

Held \_\_\_\_\_ 20 \_\_\_\_\_

March 13, 19

Mr. John Paul Dress called the meeting to order at 6:30 p.m. and began with the Pledge of Allegiance. Present at the meeting were Mr. Dress, Mr. David Hirt and Ms. Dianne Rozak. Fiscal Officer Carolyn Adams was excused. Ms. Rozak took minutes and Mr. Dress conducted the meeting. Also present: Road Superintendent Brett Waldron, Police Chief Michael Meisler, Fire Chief Keith Kahler and Zoning & Planning Administrator Kathryn Dale. Susan Dress was a visitor.

There were no minutes available from the previous meeting to approve. One piece of correspondence was received from Landmark regarding the cell tower lease.

**Roads, Buildings and Grounds:** Mr. Waldron reported the road tour resulted in much discussion regarding drainage. Paving is on schedule. Mr. Waldron and Mr. Hirt met with Steve Durnwald and Matt Lenke from ODOT to review drainage issues on SR 163. Parts of the berm will be shaved down and other situations will be monitored. ODOT would like to resolve the issues by April. The situation with Perryview drainage is a civil matter according to ODOT. The county engineer will use ODOT for salt bids for next winter. The issue is we must take 90% of the salt at one time. A quote for a new salt shed will be obtained. Several snow and ice events were handled and maintenance on equipment continues. Mr. Dress moved and Ms. Rozak seconded continuing with the mower lease agreement for 2019 from Bill's Implement Sales in the amount of \$3,900. All aye. Mr. Hirt had excused himself from the discussion and vote. Ms. Rozak moved and Mr. Hirt seconded the Tru-Green applications contract in the amount of \$1,864.30. All aye. Ms. Rozak signed the Tru-Green contract. Discussion was held regarding needs for a maintenance building. Mrs. Dale will provide aerials of current township properties for all to review as a potential maintenance building site. Trustees agreed to a project offered by the Lions Club who will coordinate the building of an Osprey nesting stand and platform at Lake Point Park.

**Police:** Police Chief Michael Meisler reported 257 incidents in February and 92 to date in March. The new K-9 and K-9 Officer Brian Sloan will be on the road shortly. The dog has been trained for article and person searches as well as narcotics. Trustees approved the purchase of a 2019 Chevy Tahoe from Steinle at a cost of \$30,861 which includes rebates and \$7,700 for a trade-in on the Impala. After discussion with Chief Meisler the trustees had no objection to a liquor permit application from Boondocks WHM LLC. Mr. Dress moved and Ms. Rozak seconded Patrolman Charlie Cunningham moving to the position of Police Sergeant/Road Patrol Supervisor effective March 23, 2019 at an increase of fifty cents per hour. All aye. Ptl. Cunningham reported to the meeting so trustees could congratulate him on the promotion.

**Fire:** Fire Chief Keith Kahler reported 43 EMS calls, 2 fire calls, 6 motor vehicle crashes, 4 fire alarm activations, 1 carbon monoxide activation and 3 mutual aid calls during February. To date in March there have been 21 EMS calls, 1 fire call, 1 motor vehicle crash and 2 mutual aid calls. Mr. Rozak moved and Mr. Hirt seconded a property purchase agreement, previously approved by the Prosecutor, from Lighthouse Bluffs for \$75,000 for 6.847 acres on SR 163 for the purpose of constructing a new central fire station. All aye. ODOT has approved a road cut for the property. All permits for a Meadowbrook controlled burn have been sent to the OEPA.

**Zoning: Permits**

To-date this month there has been 3 permit applications submitted/processed totaling \$ 555.68.

**Board & Commission Activity****The Board of Zoning Appeals –**

The BZA will hold adjudication hearings March 20, 2019 on the following cases:

- a. BZA-2019-022

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**194 Strause Lane.** Request for a Conditional Use in accordance with Section 3.1.2.C.iii and Section 4.5 to allow for a Bed & Breakfast. Also a request for a Variance to Section 4.5.1 that the use must be owner-occupied. **Lynne Hamer, Owner/Applicant; Gregory Johnson/ Agent.**

b. **BZA-2019-025**

**6721 E. Harbor Road (Snug Harbor).** Request for a Conditional Use in accordance with Sec. 3.1.10.v. for a 12 unit Resort. Area Variances requested to Sec. 4.4.1. to encroach into the west, side-yard setback (45' required/ 10' proposed) and south, front-yard setback (55' required/25' proposed), Sec. 4.4.4. to allow a reduction in open space (1.10ac. required), Sec. 4.4.5 to allow the Resort designation on less than 5 acres (4.40ac. proposed) and Sec. 4.4.7. to reduce the separation requirement between units (20' required/10' proposed). **Safe Harbor Marina, Mark & Kenny Montgomery, Owner/Applicant.**

c. **BZA-2019-027**

**618 Central.** Request for an Area Variance to Section 7.9.3.A to allow more than a 20% addition onto a nonconforming structure (217s.f. allowed/ 920s.f.; 84.8% proposed) and to Section 3.1.5.D to allow the addition to be located 2.1' from the north, side property line where 3' is required. **Darrell Waite, Owner/Applicant.**

**The Zoning Commission -**

The Zoning Commission met March 6, 2019 discussed zoning code modifications.

Regional Planning Commission is meeting March 19, 2019 and we have 3 items on their agenda. Two rezoning's that the ZC will hear April 6, 2019 and a Preliminary Plat for Lighthouse Bluff's Phase III & IV. These were approved back in 2015, but expired. They are proposing 47 detached, cluster SF homes. This is something that will need to come back before the BZA because Cluster housing Communities are a Conditional Use, but mainly because it was last approved in 1995 & 2005 and those approvals have since expired.

**Department Updates**

- Discuss Assistant vs. Inspector for new hire. (Tentative)

**Violations/ Complaints:**

**5677 E. Bayshore (Illegal Use – Jadwisiak)**

**Submitted**

**Rezoning Application**

Letter was sent 02.28.19 to the property owner notifying them that a duplex is not a permitted use at this location and establishment of such use would be at their own risk.

**321 Sackett (Junk & Debris – Garner)**

**Monitoring**

Letter was sent 02.28.19 to the property owner notifying them that the various junk and debris and appliances need to be dealt with. Been an off & on, on-going issue. Timeframe to be corrected to be determined. Owner called 03.04.19 and acknowledges it needs to be taken care of. Confirmed they received the letters and will work on it once weather starts to break.

**312 Willowdale (Storage Pod – James)**

**OPEN**

Letter was sent 03.01.19 to the property owner notifying them that the temporary storage pod in front of the house has exceeded the allowable time to be there, especially since all construction activity has stopped. 03.15.19 deadline. To-date, no response from owner.

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**1781 Heritage (Deck w/out permit – Bowser)**

**CLOSED**

Letter was sent 03.04.19 to the property owner notifying them that a permit is needed for the deck constructed next to the swimming pool. 03.15.19 deadline. Received permit 03.11.19.

There were no comments or concerns from visitor Susan Dress.

Ms. Rozak provided the board with the flyer for the upcoming Dog Show and announced that a dedication for a new historical marker at the Marblehead Lighthouse would occur at noon on May 25. No bills were available for approval.

Ms. Rozak moved and Mr. Hirt seconded moving into executive session at 7:28 p.m. to discuss personnel matters required to be kept confidential by law. All aye. Mr. Dress moved and Mr. Hirt seconded adjourning executive session and returning to regular session at 7:48 p.m. All aye. Mr. Dress moved to approve a termination agreement with Cheryl Harmsen and to designate Ms. Rozak to sign the agreement on behalf of the trustees. Second by Mr. Hirt. All aye. There being no further business the meeting was adjourned at 7:49 p.m.

**Minutes are respectfully submitted by Trustee Dianne M. Rozak**

Danbury Township Board of Trustees

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