

TOWNSHIP BOARD OF TRUSTEES REGULAR

February 26, 20

The Regular Meeting of the Danbury Township Board of Trustees, held at the Danbury Township Hall February 26th, and called to order at 6:30 p.m. by President Dress.

The pledge of allegiance was recited the roll was called and the following members were present: Mr. John Paul Dress, Ms. Dianne M. Rozak and Mr. David M. Hirt. Also present were, Fiscal Officer Carolyn Adams, Road Superintendent Brett Waldron, Police Chief Mike Meisler, Fire Chief Keith Kahler, Zoning & Planning Administrator Kathryn A. Dale and Assistant Susan Dress. Township resident Dale Pocock attended.

**APPROVAL OF MINUTES**

Mr. Hirt moved and Ms. Rozak seconded the motion to approve the February 12, 2020 regular meeting minutes as presented. Roll call was unanimous and motion carried

**CORRESPONDENCE**

- Ottawa County Health District / District Advisory Council annual meeting  
Trustee Hirt to attend.
- NOAA Digital Coast Training
- Ottawa County Agricultural Community Breakfast March 20th
- Ottawa County Farm Bureau annual Legislative Breakfast
- Ottawa County Senior Resources / March for Meals
- Ohio Auditor of State Fraud Hotline

**ROADS-BUILDINGS-GROUNDS**

Road Superintendent Brett Waldron reported the following: Several snow events have occurred. Four quotes were given to the East Harbor State Park manager, reference the Buck Road curve maintenance work, the hope is a possible a 50/50 split on the cost. The new road safety signs are being installed. Trustees annual tour of the Keepers House will be April 3rd., a maintenance request has been made by Bill Coder, Trustees to review. Brush grinding has been completed. Winter service and maintenance continues on equipment. The annual road tour with the county engineer is March 11, at 1 PM.

**POLICE**

Mr. Dress read the report submitted by Police Chief Mike Meisler that listed the department responded to 206 incidents to date in February. A Lakeside property owner has requested a reduction of the speed limit on North Shore to 35 MPH. Golf cart, walkers and bicycle safety was the concern. The Police Department is not in favor of the change. Ms. Rozak stated the process to change speed limits is limited to the ODOT standards.

**FIRE**

Mr. Hirt read the report submitted by Chief Keith Kahler. Details are listed below:

		Fire & Ems Run Details					
		EMS	Fire	MVC*	Alarm **	CO***	Mutual Aid
Month of	Feb.	32	1	0	3	0	1
As of	2/26/20	82	1	3	7	0	1
Year-To-Date		94					

- \*Motor Vehicle
- Crash(es)
- \*\* Alarm Activation(s)
- \*\*\*Carbon Monoxide
- Investgation(s)

**ZONING**

**Permits**

To-date this month there has been 4 permit applications submitted/processed totaling \$403,71.

**Board & Commission Activity**

**The Board of Zoning Appeals –**

The BZA held adjudication hearings February 19, 2020 on the following cases.

a. **BZA-2020-005**

**APPROVED**

**63 Erie Beach Road.** Request for an Area Variance from Section 5.1.C.ii to allow an accessory structure to be located in the rear-yard setback (5' required/ 3'7" proposed). **Colette & Mark Twarek, Owners/Applicants.**

b. **BZA-2020-006**

**APPROVED**

**240 Tibbels.** Request for an Area Variance from Section 7.9.3.A to allow for an addition onto the nonconforming home to exceed 20% of the original square footage [291s.f. allowed/ 588s.f. all new (47%) or 1,260 w. garage attachment (86%) proposed]. **Roy Edward & Diane Veley, Owners/Applicants.**

c. **BZA-2020-009**

**APPROVED**

**7487 E. Harbor Road (Rock Harbor Cottages).** Request for a Conditional Use in accordance with Section 3.1.10.C.v & 4.4 to designate an additional parcel (PIN# 0141175415717000) & the property as a Resort. Area Variances requested from Sec. 4.4.1. for side-yard setbacks on the additional lot (45' required/ 5' proposed), and Sec. 4.4.5. to allow less than minimum acreage requirement (5 ac. required/ 2.8 total ac. proposed). **Bradley Miller, Owner/Applicant.**

**The Zoning Commission -**

The Zoning Commission met February 5, 2020 and held election of officers. Jodi Kopanski will remain as Chair, Mike Brown as Vice-Chair and Richard Kracer was selected as Secretary to the Commission. The next meeting is scheduled for March 4, 2020 and the Commission will be holding a worksession to discuss some new text amendments.

Staff has been in touch with the Prosecutor's office regarding appointments to the Boards & Commissions. Two applications have been received from gentlemen interested in serving on either of our Boards. One is a resident of the Village. The Prosecutor's office has confirmed that residents of the Village can serve on the Township's Boards & Commissions. Copies of the applications are enclosed for the Boards review. The only open position we have at this time is an Alternate term due to expire 12/31/2023 on the Zoning Commission.

Ms. Rozak moved the appointment of John Basilone as alternate to the Zoning Commission, term ending 12/31/2023. Mr. Dress seconded. Roll call all voted affirmative.

**Department Updates**

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- Reservations have been made for the Houston APA Conference. The Zoning Office will be closed April 24, 27 & 28, 2020. The website and a notation on the doors has been posted.

**Violations/ Complaints:**

**DILAPIDATED STRUCTURES:**

**7597 E. Harbor Road (Mazur Barn)**

**Open**

The barn was knocked down 2/20/20. KAD contacted Mr. Mazur 2/24/20 to get an update about the removal of the barn. He indicated that while he had someone lined up who wants the wood and to remove it, he did not have a set date for that to be completed and indicated it likely would not be done by the March 9, 2020 deadline.

**ILLEGAL RENTAL:**

**0 E. Harbor Road (Rock Harbor - Miller)**

**CLOSED**

Board of Zoning Appeals granted an extension of the Resort use which now allows the additional unit to be rented.

**353 Miley (Illegal Rental - Brugnone)**

**CLOSED**

Owner came into the office 02/13/2020 and showed that the listing has been corrected.

Prior Info: Letter sent to the property owner 01.17.20 letting them know the SF home cannot be rented for a period of less than 30 days as they are advertising online. The owner never made contact regarding the initial letter. A second attempt was sent Certified on February 7, 2020.

**CONSTRUCTION WITHOUT PERMITS:**

**1696 Jeanie (Deck/Bridge w/out Permit – Henderson)**

**Open**

Henderson's attorney was made aware by the Prosecutor that the deadline to file an appeal is this Friday (2/28/20) at noon. If an appeal is not filed, then a citation will be filed with Municipal Court to have the bridge removed.

Prior Info: Owner came in 07.01.19 after receiving letter. He provided a copy of letter sent to his association asking for approval of the bridge that may be in the private drainage easement. Association member came in 07.03.19 and 07.08.19 asking for clarification on what is and is not allowed. Awaiting decision by the association. Letter sent to the property owner 06.26.19 regarding a deck/bridge being constructed without proper permits which so happens to be over a drainage ditch easement. Awaiting decision by the association. Association emailed over 09.28.19 weekend and stated that the bridge had been denied and asked the homeowner to remove what of the structure was in place by November 1, 2019. Will monitor to see if that work takes place before pursuing any zoning action further. 11.07.19 spoke with homeowner and they indicated that they have been in touch with their attorney over this issue. Spoke to homeowner's attorney on 11.12.19 regarding the matter. Homeowners & their Atty met 12/3/19. As of 12/5/19 they are going to request mediation with the Association. They are giving the Association until 12/23 or 12/30 to respond. Received an email from the Association 12/16/19 indicating that they have not heard anything from the Henderson's or their attorney regarding this matter. Follow-up was requested from the Attorney, he indicated he got behind in some of his paperwork and intends to file the mediation request 12/23/19. To-date the attorney representing this homeowner has failed to follow thru and submit the necessary paperwork to Ottawa County Municipal Court requesting mediation. He has assured me for over a month that this was being taken care of. A certified letter has been sent out to both the property owner and attorney requiring that the bridge/deck be removed by February 1, 2020. Atty. & property owner received their certified letters 1/10 & 1/11 respectively. Atty. called 1/17 to say they have filed mediation paperwork. Court has confirmed this has been filed and the mediation date is to be held at 10:00a.m. on 1/28. On 01/27/20, the

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day before the scheduled mediation, the association's attorney called for background information and stated they refuse to sit at the table for mediation. I contacted the Prosecutor because this case could result in claims that I wanted to see if he would be able to pursue or represent the Township on. He in turn

contacted the attorney on behalf of the property owner in question and the association's attorney and they are supposed to all sit down and meet together without the formal process of mediation.

**8786 Northshore (Fence w/out Permit – Camp Runinmuck)**

**CLOSED**

Fence & posts were removed 02/12/20 or 02/13/20.

Prior Info: Letter was sent 01.31.20 to Runinmuck regarding some wire mesh fencing extended above the split rail and 2x4 boards located in the road right-of-way supporting this additional fence. They were asked to remove or take out necessary paperwork no later than February 17, 2020.

**OLD BUSINESS**

Trustees sat March 11, 2020 at 7:00 PM for the hearing for 7209 Tanglewood.

**NEW BUSINESS**

**RESOLUTION 04-2020**

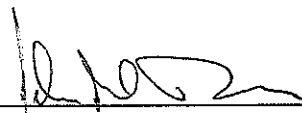
Ms. Rozak motioned the formation on an audit committee. The members to be Trustees, Fiscal Officer and Dave Robenstine, a U.A.N. consultant. Mr. Dress seconded the motion. Roll Call all voted affirmative.

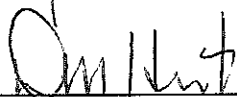
**FISCAL BUSINESS**

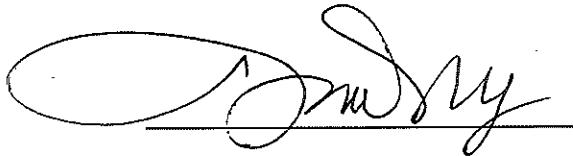
A motion by Ms. Rozak and seconded by Mr. Hirt to approve the payroll and bills totaling \$51,602.48. Roll call was unanimous and motion carried.

There being no further business before the Board, Ms. Rozak moved and Ms. Hirt seconded a motion to adjourn at 7:30 PM.

  
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Fiscal Officer

  
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Danbury Township Board of Trustees