

RECORD OF PROCEEDINGS

Minutes of

Meeting

TOWNSHIP BOARD OF TRUSTEES REGULAR MEETING

BEAR GRAPHICS 800-325-8094 FORM NO. 10148

Held

April 14, 2021

Trustee Hirt called the meeting to order at 6:00 PM. The Pledge of Allegiance was recited. Roll call: Trustee Dress, Trustee Rozak, and Trustee Hirt, Fiscal Office Assistant Susan Dress, Fiscal Officer Carolyn Adams and Road Superintendent Brett Waldron. Ms. Rozak moved approval of March 24th meeting minutes, Mr. Hirt seconded the motion, all voted aye.

Miss Rozak moved to go into executive session, seconded by Mr. Hirt to discuss a legal issue at 6:07 pm. All voted yes. Ms. Rozak moved closing executive session at 6:47 pm, seconded by Mr. Hirt. All voted yes. Mr. Dress moved returning to regular session. All voted yes.

Correspondence

- Office of Costal Management/Old Women Creek Graduate Fellowship Opportunity
- Marblehead Peninsula Chamber of Commerce 13th Annual Golf Outing
- Marblehead American Legion Post 555

Trustee Dress moved to donate \$100.00 each to the Marblehead American Legion and American Legion. Trustee Hirt seconded the motion. All voted aye

Roads

Trustees signed Notice to Proceed agreement for the salt barn project.

- Mr. Waldron attended the Ottawa County Engineers annual meeting via Zoom
- Meadowbrook Marsh had a very successful required burn.
- Mulch distribution has begun.
- Relocated the water line at the Police Station to accommodate the new drainage swale for the construction of the salt shed.
- Applied new playground mulch at Lake Point Park and the Township complex.
- Quotes from two vendors for a Township Hall generator were discussed. Trustees considered possible smaller units and include the Police Department. No action was taken.

Ms. Rozak motioned approval of Reclamite to be applied to the Township half of Lightner Road, northbound from State Road to SR163. The cost of this application is \$9117.20. Mr. Hirt seconded the motion. Roll call all voted yes.

Police

The Department received an email from Mike Houk, a driver for Steiny's Cab Company, praising our officers following a situation that occurred in the course of his employment "I have nothing but praise for our Local and State Forces".

Chief Meisler provided March incident report counts of 289. To date in April, officers have responded to 107 incidents.

The 6th grade D.A.R.E. Graduation was March 25th was well attended. The program continues to be a great success.

Catawba Security provided quotes to add two security monitors, one in the squad room and one in the Chief's office, to enable observation of the front parking lot, and a camera installation in the south parking lot where cruisers are parked.

Fire

- Trustees reviewed permit applications for sewer and water tap-in for the new Fire Station.
- Trustees reviewed and signed Public Improvement Notice of Commencement of the new fire station. Ms. Dress to file with the Ottawa County Recorder's Office

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- Trustees reviewed and signed contracts for the new Fire Station, forwarding to the Contractor for signature, and return to Dale Keeran/McCall Sharp Architects.

| | | Fire & Ems Run Details | | | | |
|--------------|-----|------------------------|------|---------|-------|------------|
| | EMS | Fire | MVC* | Alarm** | CO*** | Mutual Aid |
| 04-14-2021 | 24 | 3 | 0 | 3 | 0 | 1 |
| Year to date | 177 | 7 | 4 | 19 | 0 | 2 |
| Total | 209 | | | | | |

*Motor Vehicle Crash(s)

** Alarm Activation(s)

***Carbon Monoxide Investigation(s)

Zoning:

March Report

Permits

24 permit applications were processed for the month of March totaling \$2,394.72 in collected fees.

| | |
|---------------------------|-----------|
| Accessory Building: | 7 |
| Addition | |
| Commercial: | 2 |
| Residential: | 1 |
| Appeals: | |
| Area Variance: | 2 |
| Conditional Use: | |
| Deck: | 1 |
| Dock: | |
| Fence: | 1 |
| New SF Home: | 1 |
| New Commercial Structure: | 3 |
| Other: | 1 |
| Refusal: | 2 |
| Signage: | 2 |
| Swimming Pool: | 1 |
| Text/Map Amendment: | |
| Total: | 24 |

Board & Commission Activity

The Board of Zoning Appeals –

The BZA held adjudication hearings March 17, 2021 via Zoom on the following cases:

- a. **BZA-2021-025** **Approved as Presented**
5686 E. Harbor Road, Unit A-1 & A-2 (Safe Harbor Development). Request for a Major Modification to a previously approved Conditional Use in accordance with Section 3.4 and 7.11 to allow a kennel (doggie daycare). **Samantha Puckett, Applicant/ Agent; Safe Harbor Development, Owner.**

- b. **BZA-2021-029** **Approved w/ Conditions**
6271 E. Harbor Road (Harbor Haven). Request for an Area Variance to Section 4.15.2.C to encroach into the required 45' east side-yard setback (0' proposed) and Section 4.15.2.C to allow encroachment into the required 20' buffer (0' proposed on east – See also Sec. 4.15.2.E). **Harbor Haven, LLC, Adam & Willie Steinbrick, Owner/Applicant; BEC Associates, Agent.**

- c. **BZA-2021-030** **Approved as Presented**
243 Hamilton. Request for an Area Variance from Section 3.5 & Section 5.1.7 to allow for a deck to encroach into the north, side-yard setback (2' proposed/ 5' required). **Stacey Streeter, Agent; Owner/ Applicant.**

- d. **BZA-2021-031** **Approved w/ Conditions**
1944 Bayview. Request for a Conditional Use in accordance with Section 3.4 & 4.11 for a Limited Home-Based Business to allow for a jet ski repair shop. **Russell Veverka, Owner/ Applicant.**

The Zoning Commission -

The Zoning Commission held a hearing on the following map amendment request on March 3, 2021 and voted 3-1 to **Deny** the request:

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a. ZC-2021-020

8931 E. Harbor Road. Request for a Map Amendment from "A" Agricultural to "R-C" Recreational Commercial for PIN# 0140782014622000 (Sec. 1, part of Lot 2) consisting of 4.98 acres. **William "Bill" Ziegan, Owner/Applicant.**

The Ottawa County Regional Planning Commission held a hearing on the map amendment request on February 16, 2021 and recommended **Denial**. The Board of Trustees will take final action on April 14, 2021 at 5:30p.m.

Department Updates

- None

Office Activity

During the month of March, the Department went on 119 site visits, responded to 893 calls, e-mails and in-person inquiries as follows:

- Outgoing 104
- Incoming 463
- Other
- Emails 326
- Violation Letters 1

April Report

Permits

To-date this month there has been 9 permit applications submitted/processed totaling \$1,209.38 collected in fees and BZA balances.

Board & Commission Activity

The Board of Zoning Appeals –

The BZA will hold adjudication hearings April 21, 2021 via Zoom starting at 5:00p.m. on the following cases:

a. BZA-2021-039

351 Cedar. Request for an Area Variance to Section 3.5 to allow a porch addition to encroach into the west, front-yard setback (0' proposed/ 5' required), the south, front-yard setback (0.5' proposed/5' required) and to Section 7.12.3.A to allow more square footage than permitted to be added onto a nonconforming structure [58.6% (990s.f.) proposed/ 20% (337.8s.f.) allowed]. **Terry Ross, Architect, Applicant/ Agent; William & Connie Nicholson, Owner.**

b. BZA-2021-052

2071 Lattimore. Request for an Area Variance from Section 5.2.1.A.ii to allow for a garage addition resulting in the cumulative square footage of all accessory structures to exceed the allowable 1,200s.f. (1,957s.f. proposed). **Anthony Cesarespada, Owner/ Applicant.**

The Zoning Commission -

The Zoning Commission was to hold a worksession on April 7, 2021 to begin the rezoning study from "R-C" to "R-3", but due to my family emergency, the Commission agreed to not open the meeting and hold off on the start of the discussions until May.

The Board of Trustees will hold a public hearing on the following case on April 14, 2021 at 5:30 p.m. prior to your regular meeting.

a. ZC-2021-020

8931 E. Harbor Road. Request for a Map Amendment from "A" Agricultural to "R-C" Recreational Commercial for PIN# 0140782014622000 (Sec. 1, part of Lot 2) consisting of 4.98 acres. **William "Bill" Ziegan, Owner/Applicant.**

Department Updates

- We have received 2 applications of interest to serve on the Zoning Commission. We have an open Alternate position with a term set to expire 12/31/2023. I would recommend Barbara Singer.

Violations/ Complaints:

ILLEGAL RENTAL:

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None.

ILLEGAL CAMPERS:

None.

JUNK & DEBRIS:

None.

TALL GRASS:

None.

CONSTRUCTION WITHOUT PERMITS:

174 Riedmaier (Shed w/out Permit – Lutsch)

CLOSED

Owner received necessary permit on 04.12.21.

Prior Info: Owner sent 1st Warning Letter 03.22.21 giving them until April 2 to get a zoning permit for a shed that was installed without proper permits.

254 Worthy (Foundation replacement w/out Permit – Karns)

CLOSED

Owner received necessary permit 03.24.21.

Prior Info: Stop Work Order (SWO) was given to a contractor on site who was replacing the house foundation with no permits from the Township or the County. Contractor also was not registered with the County. This is the 3rd stop work order given to this property in the last 3 years. 1st time was for a fence in 2018. Now this and they are also doing work on an outbuilding that the County issued a SWO on March 5th.

172 Elizabeth (Shed w/out Permit – Guy Tibbels)

Open

Apparently Mr. Tibbels siblings are refusing to agree to the latest agreement presented to them. I told Mr. Tibbels that we may need to just get the shed moved or removed so there is no longer an outstanding violation.

Prior Info: A replacement shed was installed without a permit. Located partially on property not owned solely by the lot owner. Letter was sent via regular mail 06.26.20. Owner called 06.29.20 and is trying to make sure property agreements with his siblings and family business are in place and have actually been recorded. Owner is actively working on getting the necessary paperwork in order. As of 11.18.20 Owner has made an offer to purchase the additional land he needs for the shed from the family business. Awaiting to see if they will accept the offer and allow the transfer to go through. The owner called 01.11.21 and said that his family is refusing to sell him the additional land needed for the shed. He is scheduled to meet with his attorney on 11.12.21 to see if they can come up with some sort of other agreement or temporary easement. Owner has reached an agreement with his family to essentially set up an easement agreement, which will allow him to use the land for the shed. According to his attorney is should all be signed and recorded by the end of 1/27/21 week. Nothing new at the time of reporting. KAD has called Mr. Tibbels & his attorney asking for an update, but neither have returned her call.

Trustee Rozak moved appointment of Barbara Singer as alternate on the Zoning Commission, seconded by Mr. Hirt. Roll Call, all voted yes

Old Business

Trustees discussed supplemental insurance to be offered to employees for purchase. AFLAC through the Ashley Group will be available for purchase by employees who work 26 pays per year. Ms. Rozak moved acceptance of qualifications for program and to proceed with qualifying employees.

New Business

A request has been made to re-approve a TREX permit (economic development tool) for the Canoe Club; upon transfer of ownership. Trustees approved and Mr. Hire signed.

RESOLUTION 09-2021

**A RESOLUTION OF SUPPORT FOR APPLICATION TO OHIO COASTAL
MANAGEMENT FOR AN EROSION EMERGENCY ASSISTANCE GRANT
FOR DIKE REPAIR AT MEADOWBROOK MARSH**

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WHEREAS, The Danbury Township Board of Trustees, owners of Meadowbrook Marsh located at 8577 E. Bayshore Road, Danbury Township (Marblehead), Ohio recognize the southern boundary dike at this public park is in a serious state of disrepair and potential collapse due to high water erosion from Sandusky Bay; and,

WHEREAS the Trustees desire to apply to Ohio Coastal Management for grant funding for this critical erosion repair and to have the necessary work performed with direction and oversight from Ohio Fish & Wildlife office representative Jeff Finn; and,

WHEREAS the Trustees agree to designate Trustee Dianne M. Rozak as their representative applicant for all matters related to this grant funding request; and

NOW, THEREFORE, BE IT RESOLVED, BY THE BOARD OF DANBURY TOWNSHIP TRUSTEES, that the Trustees agree to immediately apply for this erosion emergency assistance funding to prevent adverse health and safety issues to the general public. Further, it is hereby found that all formal actions of this Board concerning and relating to the adoption of this Resolution were adopted in an open meeting of this Board, and that all deliberations of this Board that resulted in this formal action were in meetings open to the public in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Motion seconded by Mr. Dress.

Upon roll call on the adoption of this Resolution, the vote was as follows:

Mr. David M. Hirt YES Ms. Dianne M. Rozak YES Mr. John Paul Dress YES

This resolution shall become effective immediately upon its adoption.

Resolution 10-2021

Trustee Rozak moved the adoption of the following Resolution and Trustee Hirt, seconded the motion. A Resolution Creating a Debt Service Fund for the funding of principal, interest and collection fees in the amount of \$267,000.00. Funding is for the Construction of the new Danbury Township Fire Department.

Mr. David M. Hirt YES Ms. Dianne M. Rozak YES Mr. John Paul Dress YES

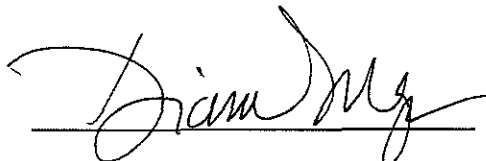
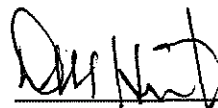
Old Business

A motion by Mr. Dress and seconded by Ms. Rozak to approve the payroll and bills totaling \$160,090.04 for the period 3/25 – 4/14/. Roll call was unanimous and motion carried.

Mr. Dress motioned acceptance of the February bank reconciliation, seconded by Ms. Rozak Roll call was unanimous. There being no further business before the Board, Mr. Dress moved and Ms. Rozak seconded a motion to adjourn at 8:00 p.m.



Fiscal Officer



Danbury Township Board of Trustees

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