

RECORD OF PROCEEDINGS

Minutes of

Meeting

TOWNSHIP BOARD OF TRUSTEES REGULAR MEETING

BEAR GRAPHICS 800-325-8094 FORM NO 10148

July 26,

21

Held

20

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, Fire Chief Kahler, Road Superintendent Waldron and Zoning administrator Kathy Dale. Additionally, Mr. & Mrs. Gregg Balcerzal property owners were in attendance. Ms. Rozak moved approval of 2021 Records Commission meeting and the July 14th regular meeting minutes, seconded by Mr. Dress. Roll Call all voted aye.

Correspondence

- Medicount, EMS Billing, Semi-Annual Report

Roads

- Sackett Cemetery two cremation burials.
- An update on floor repair in the meeting room and foyer will be forthcoming.
- A quote was presented from Focht Construction for the installation of new windows in the meeting room and foyer in the amount of \$35,049.00. These windows were purchased during the first phase of remodeling of the Township Hall.
- Wolcott Cemetery had numerous head stones cleaned by Jane Crandall
- The department continues to mow and maintain Roads, Parks and Township Buildings
- Mr. Waldron was directed to contact a Tree Removal Service concerning a tree at Meadowbrook Park.
- The need to rehab the dog park sign was discussed

Mr. Hirt moved the payment of a claim for damage to a car windshield caused by a stone thrown by a Township mower. Ms. Rozak seconded the motion. Roll Call Hirt YES, Rozak YES.

Police

Danbury Police Department accepted the 2021-2022 Drug Use Prevention Grant on July 16th. The department reported 378 calls for service July 1 thru July 26th.

FIRE

Fire & Ems Run Details						
EMS	Fire	MVC*	Alarm**	CO***	Mutual Aid	
07/26/2021	84	6	1	18	2	1
Year to date	449	27	11	48	4	5
Total	544					

*Motor Vehicle Crash(s)

** Alarm Activation(s)

***Carbon Monoxide Investigation(s)

Trustees reviewed an engineering proposal for an access drive from Lewis Land Professionals in the amount of \$7,900.00. An access drive has been proposed do to the heavy traffic during the routine summer tourist season and the construction of the round about at 163 and Englebeck/Northshore Dr. After discussion, Ms. Rozak moved approval of the access drive engineering contract and Mr. Hirt seconded the motion. Roll Call all voted yes.

Zoning:

Permits

To-date this month there has been 16 permit applications submitted/processed totaling \$1,674.77 collected in fees and BZA balances.

Board & Commission Activity

The Board of Zoning Appeals –

The BZA held an adjudication hearing July 21, 2021 on the following case:

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BZA-2021-133

Approved as Presented

583 Columbus Avenue. Request for an Area Variance from Section 5.1.7 to allow for a shed to encroach into the south, front yard setback (12' proposed/ 20' required), east, rear-yard setback (1' proposed/5' required) and north, side-yard setback (1' proposed/5' required). Also, Area Variances from Section 3.5 to allow more lot coverage than permitted (45% proposed/ 40% required) and Section 5.2.1.C.ii to allow the accessory structure to be located closer to the principal structure than allowed (2' proposed/5' required). **Daniel Lippert, Owner/ Applicant.**

The Zoning Commission -

The Ottawa County Regional Planning Commission held a hearing July 20, 2021 on the following case and recommended approval:

ZC-2021-134 8931 E. Harbor Road. Request for a Map Amendment from "A" Agricultural to "R-3" High Density Residential for PIN# 0140782014622000 (Sec. 1, part of Lot 2) consisting of 4.98 acres. **William "Bill" Ziegan, Owner/Applicant.**

The public hearing for this case before the Zoning Commission will be held at 6:30p.m. on August 4, 2021. Eventually a public hearing will need to be scheduled before the Trustees, but that will not be until September.

Department Updates

- The first Open House for the Rezoning Study was held Saturday, July 24, 2021.
- Letters have been sent to the 5 property owners under consideration for demolition of structures. Determination Letters from the Building Dept. and Fire Chief, along with quotes from contractors are expected to be in by August 1, 2021. Initial, verbal reports are as follows:
 - 4950 E. Bayshore (Shupp): Owner is attempting to work with County to pull necessary permits to finish the house. Otherwise, likely would not have qualified for demolition per CBO & FC.
 - 1049 Englebeck (Stevens): Likely qualifies for demolition. No word from owner since receiving letter.
 - 1070 Englebeck (Brito): Likely qualifies for demolition. No word from owner since receiving letter.
 - 8615 & 8625 E. Bayshore (Taylor): Likely does not qualify for demolition. May have to secure & repair items.
 - 8653 E. Bayshore (Noggle/Meister): Likely qualifies for demolition. Owners are indicating that they will remove the structures themselves.

A public hearing will have to be scheduled for all 5 of these property owners to meet with the Board. These hearings cannot be scheduled before August 10th. I would suggest holding all the hearings on the same day and allotting 30-45min. per hearing. Essentially, the Board will be entering into a resolution that acts as an agreement with the owner to determine what needs to be done with the property, if anything, and by when. The Board has the right to remove any of the properties from consideration.

Violations/ Complaints:

ILLEGAL RENTAL:

242 Worthy (Illegal Rental – Erie Shores Ventures)

Monitoring

Complaint was filed with Municipal Court on 07.20.21. Case # CRB2100684A. Arraignment Hearing scheduled for 08.18.2021 @ 8:30am.

Prior Info: Certified Letter sent 04/26/21 to owners notifying them to cease & desist renting the duplex for less than 30 days as advertised. To-date the letter has not been claimed despite notice being left by the post office. It is due to be returned as unclaimed starting 05.12.21. Once it is returned, the property and owners' local residence will be posted with the notice. The properties were posted 05.13.21 and the owner called 05.14.21. Owner said they would correct the situation and remove the reservations from their website. As of 05.25.21 more complaints were received regarding the usage of the property and the website still needs work. Owner was called and told to get it done immediately. If we continue to get more complaints, then a citation may need to be issued with the Court. We continue to get calls and emails about this property. The owner has removed a large portion of their online listing and indicated that a college-aged daughter of one of the other co-owners is occupying the one unit this summer while working locally. When the property was posted 05.13.21, there was no one in either of the units. Received another complaint from someone different indicating fisherman were on the property at the time the message was received. I immediately drove to the property to observe, and again, there was no one on the property. Dianne has received concerns too regarding this property and the noise. The complainants have been advised to

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contact the police regarding noise. 06.18.21 Outreach has been made with the prosecutor's office. Conference call was held 06.21.21 with the Prosecutor's office to discuss next steps. We received email and phone call complaints again over the 4th of July weekend regarding the continued renting of the units at this property. Advised the complainants that it was actively being pursued with the County Prosecutor's office. Prosecutor's office was supposed to conduct a knock at the property the weekend of 07.10.21 but did not, so they are filing charges based on inquiries made on availability.

ILLEGAL CAMPERS/TRAILERS:

None at this time.

JUNK & DEBRIS:

252 Springcrest (*Junk & Debris – White*)

Open

Letter sent to the owner and occupant 07.13.21. Given until 07.23.21 to get the items picked up. As of 07.21.21, some progress had been made.

1067 Englebeck (*Junk & Debris – Dress*)

Open

Certified Letter sent to the owner and occupant 07.16.21. Both have been received as of 07.20.21. They will have until 7.27.21 to deal with tall grass on the property and until 08.03.21 to remove the junk & debris & get the property cleaned up.

JUNK VEHICLES:

None at this time.

TALL GRASS:

325 Forest Green (*Tall Grass – Walterbach*)

Open

Certified Letter sent 07.13.21. Owner received 07.21.21 and will have until 07.28.21 to cut the weeds & grass.

7291 Applewood (*Tall Grass – Huddleston*)

Open

Certified Letter sent 07.13.21. Being returned with no forwarding address. Property was posted 07.21.21 because it was confirmed that a woman & child are living in the home. Will have until 07.28.21 to remove weeds & tall grass in rear yard. Letter also asked them to address their dilapidated fence.

CONSTRUCTION WITHOUT PERMITS:

5833 Mystic Bay Blvd. (*Fencing w/out Permit – Gore*)

CLOSED Owner received permit 07.16.21.

Prior Info: Letter sent to the property owner 06.29.21 giving them until 07.09.21 to pull necessary permit. Owner failed to contact our office, so a certified letter was sent out 07.12.21

2048 Robert (*Deck & Spa w/out Permit – Lukcso*)

CLOSED

Subcontractor has been very willing to iron out the issues that need corrected. As of 07.20.21 everything seems to be headed in the right direction now.

Prior Info: Stop Work Order was issued 07.12.21 when a construction crew was on-site. Owner has received partial permits but has not received any from the County and have not met any conditions of approval by the BZA. The lead contractor is failing to return calls or respond to emails by my office or the homeowner.

4350 E. State Road (*Shed w/out Permit – Wagner*)

Open

Letter sent to the property owner 07.12.21 giving them until 07.23.21 to pull necessary permit.

5725 E. Bayshore Road (*Fence w/out Permit – Paul*)

Open

Owner called 07.15.21. Owner emailed necessary paperwork 07.19.21

FISH OFFAL:

389 Channel Grove (*Fish Offal – Channel Grove*)

Open

Caller complained late Friday 07.16.21 regarding fish offal smell. Dumpsters are in the Boat Storage area off Roanoke. Initial inspection did not reveal any smell, but multiple plastic

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garbage bin totes were visible with flies and signs of use for fish guts. A Certified Letter was sent to the owners making them aware that it can be determined to be a nuisance and that common practice is to freeze the remains until garbage pick-up day.

September 9th at 6:00PM a public hearing will be held regarding demo houses.

Old Business

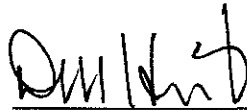
The Township has received one insurance brokerage referral.

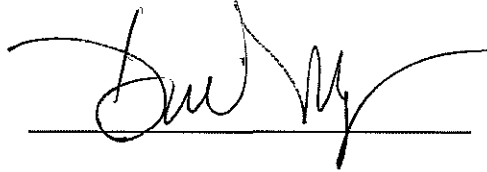
New Business

Fiscal Business

A motion by Mr. Dress and seconded by Ms. Rozak to approve the payroll and bills totaling \$183,169.97 for the period 7/15-7/26/2 There being no further business before the Board, Ms. Rozak moved and Mr. Dress seconded a motion to adjourn at 7:40 p.m.

Fiscal Officer







Danbury Township Board of Trustees