

**Ontwa Township Planning Commission
Cass County Michigan
Draft**

Wednesday, March 3, 2021
7:00 PM

VIA ZOOM
896-8017-3135

Members on Zoom: Chris Marbach – Chairman, Sandra Seanor-Secretary, Mike Mroczek, Don Delong, Richard Gates, Robert Thompson, Dawn Bolock, William Mahaney, and Shane Szalai.

Members Absent: None

Minutes Recorded By: Brigid Forlenza

Chair Marbach called the meeting to order at 7:00 PM.

1. **Pledge of Allegiance**
2. **Agenda Approval:** Chair Marbach requested agenda item (5.a) Rezoning – Brady Road be removed from agenda – postponed until April 7, 2021 meeting. Hearing no other adjustments to agenda – agenda approved. All in favor, motion passes.
3. **Reading and approval of past minutes:** January 6, 2021. Dawn Bolock made a motion to approve minutes as presented seconded by Sandra Seanor. All in favor, motion passes.

For the record Shane Szalai and William Mahaney joined Zoom a little late.

4. **Land Divisions:** Dan Stutsman – 24483 May Street, one land split on northwest corner of property. All necessary documents in package. 1.86 acres parcel A. Zoning administrator, Leroy Krempec, related it is less than two acres. Sandra Seanor made a motion to approve seconded by William Mahaney. All in favor motion carries.
5. **New Business:**
 - a. **Rezoning along Christiana Creek:** Chair Marbach – currently zoned R1A new zoning LR. Leroy Krempec related needs zoned Lake Residential as it is along creek. The rezoning is regarding green properties on map. The advertisement in newspaper covered all properties within 300 feet for notification also. The re-classification of zoning R1A to LR does not affect taxes. This brings rezoned properties into compliance.

Sandra Seanor – this clears up issues.

Chair Marbach – is confused – the green is the change – not just what is on creek.

Mike Mroczek – public is misinformed which way is the change.

Dawn Bolock – Is map wrong or notice wrong.

Mike Mroczek – map needs revised.

Chair Marbach – Green is to change to Lake Residential. Map is amended – Red line is drawn via computer to correct map and delineate the correct properties.

7:20 PM – Chair Marbach opens Public Hearing:

1. Jennifer McKenzie – 69525 Christiana Creek Drive, Question once this is rezoned the landowners can sell their lots? She does not understand rezoning, and could smaller properties not be rezoned? Chair Marbach replied the properties do not comply to the current standards. The Lake Residential zoning is a benefit to smaller lots as they will not need to seek a variance.
2. Jacob Harrel – 69572 Christiana Creek Drive – He got a variance and does not know anyone needing a variance. Chair Marbach replied – people needing to remodel get into setback issues. This zoning is a better fit for the size of lots in this area. Jacob Harrel – what are the tax implications. Chair Marbach replied – no tax implications. Leroy Krempec replied – zoning is for setbacks and regulations – classification is for taxes. The lots were not zoned correctly: R1A – 20 ft side setbacks, LR – 10 ft side setbacks, front and side setbacks are the same.
3. Scott Gramm – 69522 Christiana Creek Drive– Spoke saying what is the point to rezone – he is opposed to any change. Why now? Chair Marbach replied currently R1A going to LR. Zoning Administrator Krempec – to correct to make lots fit their size. Sandra Seanor reiterated the bottom line is properties meet LR. R1A is 20 feet setbacks. This is an improvement for lot owners.
4. Virginia Helvey – 69515 Christiana Creek Drive – questioned the red line location – middle of street? Chair Marbach replied the red line is behind houses on east side of road.
5. Robert Curry – 69535 Christiana Creek Drive – Was told by Zoning Administrator Leroy Krempec that any home on water will not be affected. He is opposed. Zoning Krempec replied he did not mean to say that he misunderstood and misspoke. Sandra Seanor – the issue is the side setbacks, and this is a benefit not a negative. Don DeLong explained the advantage. Chair Marbach requested is there anyone else who wants to speak. Table – deny or approved are motions.

Dawn Bolock – We have heard from five people is there anyone else. None heard.
Chair Marbach – one last call for public comments. None. Do we have a motion to close public hearing?

Sandra Seanor made a motion – move to close public hearing seconded by Don DeLong – All in favor, motion carries – 7:42 PM.

Chair Marbach – back to agenda – directing any motion needs to address red line on map.

Dawn Bolock spoke regarding 120 notices out and five people spoke.
Zoning Administrator Krempec related it was published in the newspaper according to law.

Robert Thompson – asked how many lots are 125 feet versus 80 feet on east side of road?

Sandra Seanor replied not very many and they do not meet R1A, they are already nonconforming lots. The purpose is to get people into zoning compliance.

Chair Marbach requested to move forward.

Sandra Seanor made a motion to approve with the change made by Chair Marbach seconded by William Mahaney. Roll Call Vote – All yeas – Motion carries for rezoning. Map – Attachment #1.

NEW BUSINESS:

b. Home Occupation: Zoning Administrator Krempec has received no complaints, and all is going well. There are ten home occupation permits. Mike Mroczek requested a spread sheet of these in the minutes. Attachment #2. Zoning Krempec replied he will give recording secretary a copy.

Motion made by William Mahaney to approve home occupations seconded by Don Delong. All in favor, motion carries.

6. **Old Business: - None**

7. **Committee Reports:**

a. Sandra Seanor stated next zoning ordinance working group meeting will be March 9, 2021 and she has been working with planner.

1. Review accessory dwelling units and second living quarters above garage. Trying to correct this by ordinance that makes sense. Planner Andy Moore working through this.
2. Short term rentals – VRBO has come up and Planner Moore is looking at this with attorney.
3. Bubbler issue – The group will be looking at this issue also. The group is gathering information on this and there is much to review.

8. **Public Comments:** Chair Marbach asked for public comments.

a. Jill Meuninck on North Shore, Eagle Lake has a written statement. This is attachment #3 to minutes. She wants bubblers outlawed. She wants a police ordinance.

b. Patty Reddy – spoke and is concerned also.

Chair Marbach related March 9th is an ad hoc committee meeting. Five members review items prior to bringing to board.

Sandra Seanor – We have a planner we work with on issues, and it is a process. We will look at this issue.

Don Delong – Will send information to committee that are alternate solutions for bubblers.

Mike Mroczek – The DNR/EGLE issues permits to people with permanent piers for bubblers.

9. **Announcements – None**

10. **Adjournment:** Hearing no further comments Chair Marbach adjourned meeting at 8:17PM. All in favor – motion passes.

Respectfully Submitted:

Brigid Forlenza
Recording Secretary

