

Planning Commission Meeting Minutes
Township of Ontwa—County of Cass
Edwardsburg, MI 49112

March 2, 2011

Members Present: Chris Marbach (Chair), Bill Mahaney, Joe Treadway, Shane Szalai, and Jim Robinson.

Members Absent: Norm Krupp, Richard Broadbent, Clint Draeger, Richard Bruno, and Marilyn Cobb (Secretary).

Others Present: Brian Wegener from Williams and Works, Ontwa Township Zoning Administrator Wayne Hardin, Roseann Marchetti, Paul Sniadecki, and Frank Lapierre.

The regular meeting of the Ontwa Township Planning Commission was called to order at 7 p.m. by Chairman Chris Marbach, followed by the Pledge of Allegiance.

The minutes of the December 1, 2010 meeting were approved as distributed on motion by Jim Robinson, supported by Bill Mahaney. All in favor.

NEW BUSINESS:

1. **YEARLY ELECTION OF OFFICERS:** As this was the first Planning Commission meeting of 2011, the Commission needed to elect officers. Jim Robinson made a motion to re-elect Chris Marbach Chairman and Norm Krupp Vice-Chairman, supported by Bill Mahaney. All in favor. Motion carried.

2. **LAND SPLIT:** Frank and Dawn Lapierre requested a land split of their 18.77 acre parcel on May Street into two parcels, one 1.61 acres, and the remainder 17.16 acres. The zoning administrator had already given his approval, though the assessor had not yet taken any action. Jim Robinson moved to approve the land split as presented, contingent on the assessor's approval, supported by Bill Mahaney. All in favor. Motion carried.

3. **HOME OCCUPATION PERMITS:** A list of fifteen previously-approved Home Occupation permits was reviewed by the Planning Commission. Chairman Marbach stated that no complaints had been received about any of the home occupations. Joe Treadway made a motion to renew the home occupation permits as listed, supported by Jim Robinson. All in favor. Motion carried.

4. **MEDICAL MARIJUANA ORDINANCE:** Chairman Marbach presented the proposed ordinance regarding medical marijuana drafted by Township attorney John Lohrstorfer on November 2, 2010. However, Planning Commission members first received the draft at the March 2, 2011 meeting. After much discussion, including suggestions that changes may have been made since the proposed ordinance was written, and that the ordinance needs to be consistent with existing ordinances and certain terms need finer definition, it was generally agreed that the Planning Commission will continue to review the proposed ordinance while Chairman Marbach consults with Lohrstorfer and Township Supervisor Brielmaier before proceeding to a Public Hearing.

5. PLANNING COMMISSION ORDINANCE REVISIONS: In order to be in compliance with the Michigan Planning Enabling Act, Act 33 of 2008, as amended, Brian Wegener drafted and presented changes to Article XXII-A, the sections on the Planning Commission. Shane Szalai made a motion to hold a Public Hearing on these revisions at the April 6 Planning Commission meeting, supported by Jim Robinson. All in favor. Motion carried.

6. OTHER MISCELLANEOUS ORDINANCE REVISIONS: Several small corrections and/or clarifications to Township Ordinances were compiled by Chairman Marbach and Brian Wegener and presented to the Planning Commission. Planning Commission members will review the proposed ordinance revisions and consider setting a Public Hearing at a future meeting.

OLD BUSINESS:

1. Brian Wegener reviewed his proposed revisions to the text of the Future Land Use Plan, made according to the suggestions of Planning Commissioners and Township residents. Commissioners then reviewed the Future Land Use Map itself again, with much discussion and deliberation.

Brian Wegener will revise both the text and map of the Master Land Use Plan for the April 6 Planning meeting, as well as prepare an Implementation Strategy Timeline, which will outline the steps involved in completing the revisions to the Master Land Use Plan.

ANNOUNCEMENTS:

1. The Southwest Michigan Planning Commission will be holding several training sessions and educational programs this month. Chairman Marbach made available the list of programs.

2. The Cass County Planning Commission will sponsor a “Training for Joint Master Plan Workshop” on June 7. Cost will be \$45/person, including educational materials and food.

ADJOURNMENT:

Meeting was adjourned at 8:57 p.m. by Chairman Marbach. The next general meeting will be at 7 p.m. on April 6 in the Ontwa Township Hall.

Minutes respectfully submitted by: Commissioner Shane Szalai

CC: Planning Commission members, Zoning Administrator Wayne Hardin, and Ontwa Township Clerk Paula Ralph.

PLANNING COMMISSION
TOWNSHIP OF ONTWA-COUNTY OF CASS
EDWARDSBURG, MI 49112

April 6, 2011

PRESENT: Chris Marbach, Jim Robinson, Norm Krupp, Richard Broadbent, Shane Szalai and Marilyn Cobb.

ABSENT: Clint Draeger, Richard Bruno, Joe Tredway.

OTHERS: Residents of Cass and Berrien County.

The Chairman opened the meeting with the Pledge of Allegiance. No minutes.

LAND SPLITS: None.

NEW BUSINESS: The Chairman announced that a new Vice Chairman and Secretary must be elected from the Planning Commission membership. On motion by Jim, supported by Richard that Shane be nominated Vice Chairman. All in favor. Motion carried. On motion by Jim, supported by Richard that Clint be nominated Secretary. All in favor. Motion carried.

A public hearing to amend Article XXII-A of The Zoning Amendment was covered. All public input was positive. On motion by Jim, supported by Norm that public hearing be closed. All in favor. Motion carried. On motion by Jim, supported by Norm that The Amendment be sent to the Township Board. All in favor. Motion carried.

OLD BUSINESS: The medical marijuana ordinance was discussed and several members of the audience made comments. Some of the people would like to see a dispensary set up in this area. Since there are existing! State Laws, we should not have fifteen Townships with different laws. Cass County will have a workshop on April 13, 2011. There will be a meeting next month on the marijuana ordinance.

Future Land Use discussion: New maps show sewer areas, open space, farm land and preservation areas. Another public hearing will be considered with an Open House in June. Chris will coordinate with Brian from Williams; and Works.

No announcements.

Chairman Marbach adjourned the meeting.

Respectfully submitted,

Marilyn H. Cobb, Secretary

CC: Planning Commission members, Township Clerk.

PLANNING COMMISSION
TOWNSHIP OF ONTWA - COUNTY OF CASS
EDWARDSBURG, MI 49112
MAY 4, 2011

MEMBERS PRESENT: Chris Marbach, Jim Robinson, Norm Krupp, Shane Szalai, Richard Bruno, Bill Mahaney, Joe Tredway, Clint Draeger, Richard Broadbent and Marilyn Cobb.

MEMBERS ABSENT: None

OTHERS PRESENT: Interested citizens of Ontwa Township, Milton Township and Berrien County.

The Chairman called the meeting to order at 7:00PM, followed by the Pledge of Allegiance.

The minutes of the March 2, 2011 meeting were approved with corrections on motion by Norm, supported by Bill. All in favor.

The minutes of the April 6, 2011 meeting were approved with corrections on motion by Norm, supported by Jim. All in favor.

LAND SPLITS: None.

NEW BUSINESS: None.

OLD BUSINESS: (a) Set date for medical marihuana ordinance public hearing. Information, regulations, enforcement issues, Township or County responsibilities and many other comments were addressed to the Planning Commission members. Mr. Pfaff stated that the Michigan Statutes of 12-4-2008 should be read. The Commission was informed that Milton Township voted to wait for six months before adopting the ordinance. Mason Township has an ordinance, stating that a dispensary must be located in an industrial area. BOARD DISCUSSION: Norm has read articles in the newspaper that there is a lot of abuse to regulations. Members are aware that medical marihuana is beneficial to patients with chronic pain and cancer patients undergoing chemo-therapy.

On motion by Jim that we ask the Township Attorney to draft a "Stand Alone" Ordinance from VERSION 2---Draft 4-5-11 cfm for review at the June 1, 2011 Meeting. Supported by Richard Broadbent. Roll call vote - Jim yes, Norm yes, Shane no, R. Broadbent yes, R. Bruno yes, Joe no, Clint yes, Bill yes, and Chris yes.

OLD BUSINESS: (b) Adopt Planning Commission By-laws:

On motion by Jim that we adopt the updated By-Laws to comply with the new Planning Commission Act that were presented by Williams and Works, with two typographical corrections. Supported by Shane. All in favor on motion by Jim that we adopt the By-Laws presented by Williams and Works, dated 116-2011. Supported by Shane. All in favor.

ANNOUNCEMENTS: Jerry Marchetti informed the Board that the Edwardsburg Schools and Wimberly Ford will have a new car drive away from 9:00 AM to 3:00 PM on May 7, 2011. For every car that is driven, Wimberly will donate \$20.00 to the Edwardsburg School Scholarship Fund.

Chris is co-coordinating with Williams and Works on an Open House for Future Land Use Plan in Ontwa Township for June 16, 2011 from 6:00 PM to 8:00 PM.

No other business to come before the Board, the meeting was adjourned by the Chairman.

Respectfully submitted,

Marilyn H. Cobb, Secretary

CC: Planning Commission members, Wayne Hardin and Ontwa Township Clerk.

PLANNING COMMISSION
TOWNSHIP OF ONTWA-COUNTY OF CASS
EDWARDSBURG, MI 49112
JUNE 1, 2011

MEMBERS PRESENT: Chris Marbach, Norm Krupp, Shane Szalai, Richard Bruno, Bill Mahaney, Joe Tredway, Clint Draeger, Richard Broadbent and Marilyn Cobb.

MEMBERS ABSENT: Jim Robinson.

OTHERS PRESENT: Interested citizens of Ontwa Township and surrounding areas.

The Chairman called the meeting to order at 7:00 PM, followed by the Pledge of Allegiance.

The minutes of the May 4, 2011 meeting were approved with corrections on motion by Norm, supported by Clint. All in favor.

LAND SPLITS: None.

NEW BUSINESS: None.

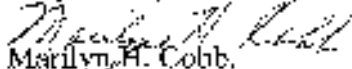
OLD BUSINESS: Medical marihuana ordinance discussion: Chris distributed new documents prepared by the Township Attorney of the Stand Alone version on medical marihuana ordinance. Norm has done considerable research and obtained information from other areas regarding this ordinance. Several audience members contributed information and concerns. Chris said that the Township Board requested that the Planning Commission present a marihuana Ordinance. He will make corrections to the two versions that the Attorney has drawn up. On motion by Joe, supported by Clint that corrected versions be reviewed by the Attorney and send a corrected copy to Chris that can be reviewed by the Planning Commission. All in favor. Motion carried.

Chris announced that he has some information on the history of Edwardsburg and Ontwa Twp. that he will send to Williams and Works so that they can include this in the final draft of the Master Plan.

Chris reminded the Board members of the Open House on June 16, 2011 from 6:00 PM to 8:00 PM in the Township Hall.

There being no further business, the Chairman adjourned the meeting.

Respectfully submitted,



Marilyn H. Cobb,

Secretary.

CC: Planning Commission members, Wayne Hardin and Ontwa Township Clerk.

**PLANNING COMMISSION
TOWNSHIP OF ONTWA-COUNTY OF CASS
EDWARDSBURG, MI 49112
JULY 6, 2011**

MEMBERS PRESENT: Chris Marbach, Jim Robinson, Shane Szalai, Bill Mahaney
Clint Draeger, Richard Bruno and Marilyn Cobb.

MEMBERS ABSENT: Norm Krupp and Richard Broadbent.

OTHERS PRESENT: Residents of the area.

The Chairman called the meeting to order at 7:00 PM, followed by the Pledge of Allegiance.

The minutes of the June 1, 2011 meeting were approved on motion by Clint, supported by Bill. All in favor.

LAND SPLITS: None.

NEW BUSINESS: Home occupation permit for Vicki Doane. Vickie wants to operate a beauty shop in her home. She has presented excellent information and is in the process of getting licenses and permits. Public hearing closed on motion by Jim, supported by Clint. All in favor. On motion by Jim that we approve application for Vicki Doane to operate a beauty shop in her home, Tax No. 14-090-009-025-01. Supported by Bill. All in favor. Chris received a letter from Joe Tredway the he is resigning his position on the Planning Commission. On motion by Richard Bruno, supported by Jim that we accept the resignation with regrets. All in favor. Chris will send a thank you note and express the appreciation of the Board for his many hours of service.

OLD BUSINESS: Discussion of the future land use plan open house on June 16th. The next step is to forward to the Township Board. On motion by Shane, supported by Jim that Chris will present this to the Township Board to accept or reject. All in favor. Motion carried.

ANNOUNCEMENTS: None.

Chairman adjourned the meeting.
Respectfully submitted,

Marilyn H. Cobb

CC: Planning Commission members, Wayne Hardin and Ontwa Township Clerk

PLANNING COMMISSION
TOWNSHIP OF ONTWA – COUNTY OF CASS
EDWARDSBURG, MI 49112
OCTOBER 5, 2011

MEMBERS PRESENT: Shane Szalai, Bill Mahaney, Clint Draeger, Richard Bruno, Phil Steele and Marilyn Cobb.

MEMBERS ABSENT: Norm Krupp, Richard Broadbent, Jim Robinson and Chris Marbach.

The Vice Chairman, Shane Szalai called the meeting to order at 7:00 PM, followed by the Pledge of the Allegiance.

The minutes of the July 5, 2011 meeting were approved, with corrections, on motion by Richard, supported by Clint. All in favor.

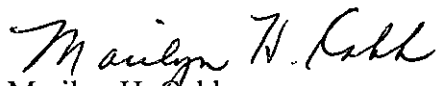
LAND SPLITS: None.

NEW BUSINESS: Set meeting date for approval of the new Master Land Plan. On motion by Clint, supported by Bill that the approval for the new MASTER LAND PLAN will be November 2, 2011 at 7:00 PM at the Ontwa Twp. Hall. All in favor. Motion carried.

Phil Steel was welcomed as a new member of the Planning Commission.

There being no further business, meeting adjourned. All in favor.

Respectfully submitted,



Marilyn H. Cobb,
Secretary

CC: Planning Commission members, Wayne Hardin and Ontwa Twp. Clerk.

PLANNING COMMISSION
TOWNSHIP OF ONTWA – COUNTY OF CASS
EDWARDSBURG MI 49112
NOVEMBER 2 2011

MEMBERS PRESENT: Chris Marbach, Norm Krupp, Shane Szalai, Clint Draeger, Richard Bruno
MEMBERS ABSENT: Jim Robinson, Bill Mahaney, Richard Broadbent, Phil Steele and Marilyn Cobb
OTHERS PRESENT: Brian Wegener from Williams and Works, Steve Carlisle of Wightman & Associates, INC, Ed Patzer of Edwardsburg Sports Complex, 7 residents of the area.

The Chairman called the meeting to order at 7pm, followed by the Pledge of Allegiance.

Minutes of the October 5, 2011 meeting were approved on motion by Clint, supported by Dick Bruno. All in favor.

LAND SPLITS: None

NEW BUSINESS: Public Hearing was opened for the Master Land Plan Approval. One minor change was requested by Mr Kendall concerning a property he owns on the south side of May Rd. Brian Wegener will make the correction after all members agreed to the change. Received a letter from Eagle Lake Improvement Association praising the Commission on their efforts concerning the Master Plan. Also received a letter from the Milton Township Planning Commission commending Ontwa Township on this effort. Public hearing closed on motion by Clint and support by Dick Bruno. Short discussion was followed by a motion by Clint to approve the Resolution Recommending Approval of the Amended Ontwa Township Master Plan. Supported by Dick Bruno. Roll call taken with Norm, Chris, Clint, Dick and Shane all in favor.

Ed Patzer and Steve Carlisle presented the plan for the Edwardsburg Sports Complex and requested final site plan approval. Discussion followed with members of the commission asking questions concerning this endeavor. Motion made by Norm to "Approve for Final Site Plan for Edwardsburg Sports Complex subject to Letter of Approval from Cass County Drain Commissioner as to proper drainage and safe use of the retention ponds". Support by Dick Bruno. All in favor.

Chris read a letter to be sent to Milton Township congratulating them on completing their Master Plan.

Chris read a letter from Richard Broadbent stating his decision to resign from the Planning Commission. On motion from Clint, supported by Shane to accept the resignation with regrets. All in favor.

There being no further business, meeting adjourned at 8:15pm. All in favor.

Respectfully submitted,

Clint Draeger
Secretary of Planning Commission

Planning Commission Meeting Minutes
Township of Ontwa—County of Cass
Edwardsburg, MI 49112

December 7, 2011

Members Present: Chris Marbach (Chair), Shane Szalai, Bill Mahaney, Richard Bruno, Phil Steele and new member Dawn Bolock.

Members Absent: Norm Krupp, Jim Robinson, Clint Draeger, and Marilyn Cobb (Secretary).

Others Present: Brian Wegener from Williams and Works, Building Inspector Wayne Hardin, Township Trustee Jerry Marchetti, Roseann Marchetti, Paul Sniadecki, Douglas Brousseau, David Taylor, Bob Pfaff, and several other township residents.

The regular meeting of the Ontwa Township Planning Commission was called to order at 7 p.m. by Chairman Chris Marbach, followed by the Pledge of Allegiance.

The minutes of the November 2, 2011 meeting were approved as distributed on motion by Richard Bruno, supported by Bill Mahaney. All in favor.

NEW BUSINESS:

1. HOME OCCUPATION PERMITS: A list of sixteen previously-approved Home Occupation permits was reviewed by the Planning Commission. Noting that no complaints had been received about any of the home occupations, Richard Bruno made a motion to renew the home occupation permits as listed, supported by Phil Steele. All in favor. Motion carried.

2. NORTH AMERICAN FOREST PRODUCTS SITE PLAN REVIEW: Township Building Inspector Wayne Hardin said that North American Forest Products would like to build an addition to one of its existing buildings for additional storage. He said the construction would be identical to the existing building and saw no setback issues or any other problems with the proposed addition. Phil Steele made a motion to approve the site plan, supported by Richard Bruno. All in favor. Motion carried.

3. WEST BANKS DISCUSSION: Township Building Inspector Wayne Hardin requested a discussion on the West Banks subdivision so that everyone understands where the Planning Commission stands. (Currently, no building permits may be issued on any of the West Banks parcels.) Chairman Marbach stated his opinion that the two main issues remain: 1) Roads: Oak Springs Road needs to be given 66 feet of right-of-way and turned over to the Cass County Road Commission. West Banks Drive needs to be either: a private road with a maintenance agreement among all property owners, or: a public road with 66 feet of right-of-way and accepted by the Cass County Road Commission. 2) The Tyler Ross property is not buildable because it has no access to West Banks Drive, and can only have access to Oak Springs Road through a site condo or subdivision process. There was general agreement among Planning Commissioners present.

OLD BUSINESS:

1. MINOR ZONING ORDINANCE REVISIONS: Work on several small corrections and clarifications to Township Ordinances previously compiled by Chairman Marbach and Brian Wegener had been postponed while Planning Commission members worked on revisions to the Master Plan this year.

With the new Master Plan approved, Brian Wegener reviewed his proposed revisions to the text of the zoning ordinance, including but not limited to: clarifying language on manufactured homes, home occupations, and accessory buildings; excluding electrified fences and barbed wire from residential districts; and other minor corrections or clarifications. Brian Wegener will compile the Planning Commission's recommendations and further refine the corrections to bring back for our January meeting, when we will review the proposed ordinance revisions and set a Public Hearing for a future meeting.

QUESTIONS/COMMENTS: Paul Sniadecki asked when the Planning Commission would set a time-frame for implementation of the new master plan. Chairman Marbach answered that the Planning Commission would discuss that at its January meeting.

ANNOUNCEMENTS:

None.

ADJOURNMENT:

Meeting was adjourned at 8:57 p.m. by Chairman Marbach. The next general meeting will be at 7 p.m. on January 4 in the Ontwa Township Hall.

Minutes respectfully submitted by: Commissioner Shane Szalai

CC: Planning Commission members, Zoning Administrator Wayne Hardin, and Ontwa Township Clerk Paula Ralph.