

**Ontwa Township Planning Commission  
Cass County Michigan  
DRAFT MINUTES**

Wednesday, October 2, 2019  
7:00 PM

Ontwa Township Hall  
26225 US 12  
Edwardsburg, MI 49112

**Members Present:** Shane Szalai – Vice Chair, Dawn Bolock, Sandra Seanor-Secretary, Mike Mroczek, Bill Mahaney, Richard Gates, Robert Thompson, and Don Delong.

**Member Absent:** Chris Marbach – Chairman

**Minutes Recorded by:** Brigid Forlenza

Vice Chair Shane Szalai called the meeting to order at 7:00PM.

**1. Pledge of Allegiance**

2. **Agenda Approval:** Motion made by Richard Gates and seconded by Don Delong to approve agenda as amended adding 5c Structures that are noted as “blight” as well as dangerous “attractive nuisances” to new business. All in favor motion passes.
3. **Reading and approval of past minutes:** July 11, 2019; motion made by Dawn Bolock and seconded by Don Delong. All in favor motion passes.
4. **Land Divisions:** Barry Eye, 70004 Oakleaf Drive, Property #14-090-009-074-01. Owner requesting to split lot and sell. Zoning Administrator Leroy Krempec related frontage and setbacks meet requirements. Private Road, Oakleaf Drive, is in compliance. This is the fourth time attempting to split. Permits to remove sheds issued. Mike Mroczek visited site and related there are sheds on the property, and a well needs to be moved. He requests contingencies be placed on the approval. Further “buyer beware,” as there is a structure on the property line that can lead to a potential boundary dispute.

Vice Chair Szalai requested motion. Robert Thompson made a motion to approve seconded by Sandra Seanor. Contingencies – sheds come down and well is moved. In favor: Robert Thompson, Dawn Bolock, Sandra Seanor, Shane Szalai, Bill Mahaney, Don Delong, and Richard Gates. Opposed: Mike Mroczek. Motion passes.

**5a. Duo Form Site Plan Review:** Sean Frederick – Architect requests site plan approval to erect two small metal buildings: 25 x 40 and 20 x 32. Sandra Seanor asked Zoning Administrator Krempec for survey and if this proposal meets side setbacks. Zoning Administrator Leroy Krempec related there is plenty of open space.

Richard Gates queried as to location of lot lines. Sean Frederick – Architect related they have the room they need, and he has a site plan which he submitted at that point to the Planning Commission to review.

Sandra Seanor, upon review of application, related that it is not complete. William Mahaney queried if the plan submitted to board tonight was submitted prior to this meeting. Zoning Administrator Krempec replied it was not submitted.

Sandra Seanor related, once again, that the site plan was incomplete. Further, the plan was not submitted to the Zoning Administrator.

Architect Frederick responded the site plan was submitted to Zoning Administrator and Building Inspector. We imposed scaled drawings, and this meets setbacks and will not change erosion control.

Dawn Bolock reiterated the site plan is incomplete.

Sandra Seanor – This requires a survey so members of board can review it and reiterated the application is not complete. This is what delays projects.

Duo Form Architect Frederick related there are no utilities, no heat, and it is simplistic. They are looking for a favorable opinion tonight.

Richard Gates related this should not have occurred.

Vice Chair Szalai doesn't know if this meets requirements as the package is incomplete.

Mike Mroczek explained they should complete application and survey for the November meeting.

Dawn Bolock stated they must be consistent with requirements.

Sandra Seanor echoed if the required information had been submitted, they would move forward. There is no proof setbacks are correct. They need to submit an updated survey. This all needs accomplished. The site plan review check list needs to be completed also.

Motion made by Sandra Seanor seconded by William Mahaney to set aside the application until it is complete. Vice Chair Szalai called for a vote. All in favor motion passes. Opposed: None

**5b. Private Road Application – Four Lakes Development, LLC.** Recused: Mike Mroczek, Robert Thompson, and Sandra Seanor.

JPR – Kenneth Jones Jr. on behalf of Developer Dale Snow requested approval of private road to facilitate Step 2 approval. The project is down to four required permits, this being one of them.

He related that private road was already reviewed and approved by Planning Commission, reading Ontwa Township Private Road Ordinance Section 3 for record. Ordinance No 11-96-3 Section 1.03C "The provisions of this Ordinance shall not apply to access roads internal to any individual lot or parcel of land which has direct public street frontage access and is under the control of one person, firm; corporation, or association, provided that the access road does not provide access to any abutting lot or parcel of land. Which are otherwise subject to site plan

review and approval under the provisions of the Ontwa Township Zoning Ordinance.” Mr. Jones related this private road was already approved.

Private road has been addressed in By-Laws and Master Deeds. The name “Dockside Court” is unique per letter submitted from Cass County Road Commission. Addresses for homes will be complete when permit obtained for building as project moves on.

Dawn Bolock related private road agreements along with maintenance agreements are necessary for Lenders and Title Insurance.

William Mahaney queried if the issue of water puddling on east side of Eagle Lake Road had been addressed. A positive response was given by Ken Jones, Jr. P.S.

Dawn Bolock asked Zoning Administrator Krempec if all documents were provided for the private road approval. Zoning Administrator Krempec said there was confusion regarding Site Condo and Subdivision by the Township Planner Andy Moore and Township Attorney Kaufman. They both suggested this approval was required. Williams and Works submitted conditions formalizing maintenance.

Motion made by Dawn Bolock seconded by Richard Gates to approve private road permit with the conditions of Williams and Works. All in favor motion passes.

**5c. Structures that are noted as “blight” as well as dangerous “attractive nuisances”:** Richard Gates spoke to the issue of dangerous buildings and why they have not been removed. When will this happen?

Zoning Administrator Krempec related there are three structures, and he knows what they are. The buildings have been like this for years. Out of respect for Mr. Szalai, he has been dealing with him for three years. He has blight on US 12 and Garver Lake Road. He related the Szalais were in his office and agreed to demolish. Subsequently, they rescinded this agreement. He has sent another certified letter which they have five days to respond to upon receipt. If the Szalais do not respond in that time frame, this will go to court via Township Attorney. There is another property on Garver Lake with another owner that he is pursuing.

Zoning Administrator Krempec addressed the need for the Board of Trustees to pass I.P.M.C. to give him authority to enter properties. He has yet to receive approval from B.O.T.

Don Delong related we need to address this. Richard Gates related we need to handle enforcement a different way. We need to act accordingly: cite him, go to Township Attorney, and go to court. Zoning Administrator Krempec needs IPMC approved by the Board of Trustees.

Sandra Seanor asked if this was approved by the Village and if so, we need to mirror their dates. Mike Mroczek agreed, stating residents are looking for change and these issues should not take so long.

**6. Old Business – None**

7. **Committee Reports:** Sandra Seanor informed board Ad-Hoc committee has not met as of late. Mr. Mroczek to submit information to Ad-Hoc committee for review.
8. **Public Comments:** Dirt bikes and motorcycles on private property. Zoning Administrator Krempec said there is no violation of noise. They are restricted to cease by 8:00 PM. The owner says he has not been approached by neighbors complaining. The owner can do what he wants as he owns five acres of agricultural-residential property. He has no authority regarding this.
9. **Announcements** - None
10. **Adjournment** - Hearing no further comments Vice Chair Szalai adjourned meeting at 8:25PM.

Respectfully Submitted:

Brigid Forlenza  
Recording Secretary