

**MARION TOWNSHIP PLANNING COMMISSION
IN-PERSON / VIRTUAL MEETING MINUTES
JANUARY 25, 2021 / 7:30PM**

MEMBERS PRESENT: LARRY GRUNN – CHAIRPERSON (*In-Person*)
JAMES ANDERSON – VICE CHAIR (*In-Person*)
CHERYL RANGE – SECRETARY (*In-Person*)
BOB HANVEY – (*In-Person*)
BRUCE POWELSON – (*In-Person*)

OTHERS PRESENT: DAVE HAMANN – ZONING ADMINISTRATOR (*In-Person*)
ZACH MICHELS – CARLISLE WORTMAN (*In-Person*)

MEMBERS ABSENT: NONE

CALL TO ORDER

Larry Grunn called the meeting to order at 7:30 p.m.

PLEDGE OF ALLEGIANCE

APPROVAL OF JANUARY 25, 2022 PLANNING COMMISSION MEETING AGENDA

Bruce Powelson made a motion to approve the agenda for the January 25, 2022 Planning Commission meeting. Cheryl Range seconded. **MOTION CARRIED**

APPROVAL OF November 23, 2021 PLANNING COMMISSION MEETING MINUTES

Cheryl Range made a motion to approve the November 23, 2021 Planning Commission meeting minutes, as presented. Jim Anderson seconded. **MOTION CARRIED**

CALL TO THE PUBLIC

A resident made comments about the wind and solar language, included in the packet.

NEW BUSINESS:

1) SET A PUBLIC HEARING FOR FEBRUARY 22, 2022 FOR RZN#01-21 129 MASON HS TO UR

Cheryl Range made a motion to set a Public Hearing for RZN# 01-21 129 Mason Road on February 22, 2022. Bruce Powelson seconded. **MOTION CARRIED**

2) OFFER RESOLUTION TO SET TIME AND PLACE OF PLANNING COMMISSION MEETINGS FOR 2022

Bob Hanvey recommended adding a meeting for January 24, 2023 to the 2022 schedule.

Bob Hanvey made a resolution to approve the 2022 Planning Commission meeting schedule with the January 24, 2023 addition.

ROLL CALL: LARRY GRUNN: YES; JAMES ANDERSON: YES; CHERYL RANGE: YES; BOB HANVEY: YES; BRUCE POWELSON: YES
RESOLUTION PASSED 5: YES; 0: NO

3) PUD FOR TAMARACK PLACE FOR REVIEW

Dave Hamann explained that this PUD is going to the Board for approval but Bob Hanvey wanted to take a look one more time. Zach Michels with Carlisle Wortman said that as long as there is consistency with the Site Plans, then everything should be good.

UNFINISHED BUSINESS

1) REVIEW ATTORNEY PROPOSED PENALTY PROVISIONS LANGUAGE TXT# 01-22

Zach Michels explained that a nuisance is something that exists and causes an annoyance to someone else. "Nuisance Per say" is something that exists and is not allowed, event though it is not bothering anyone.

Bob Hanvey stated that we should change the term Township President to Supervisor.

Dave Hamann explained that every formal complaint issued, is sent by certified mail to the offender.

Zach stated that in order for an actual ticket to be issued, the person filing a complaint has to also submit some type of proof or evidence. There has to be a witness or proof if the nuisance is not something that can be seen all the time.

Dave Hamann stated that John Enos and John Gormley need to get together to discuss this. Dave said that John Enos is going to bring a formal proposal and then we can set a public hearing.

Jim Anderson made a motion to have John Gormley and John Enos prepare language for text amendment TXT#01-22. Larry Grunn seconded. **MOTION CARRIED**

2) REVIEW WIND AND SOLAR TXT# 02-22

Zach Michels explained that John Enos recommendation is to treat these as an accessory structure. Zach is going to get some pricing on the batteries for these wind and solar panels.

3) CONTINUE DISCUSSION ON HOBBY KENNELS

Jim Anderson said that our language should be as consistent as possible with what the County is doing. Jim suggested that Zach tell John Enos to get in touch with him, so they can review this language and workout the inconsistencies.

Jim Anderson made a motion to postpone this discussion until the next meeting, February 22, 2022 so he can get with John Enos and Dave Hamann to finish preparing this language. Cheryl Range seconded. **MOTION CARRIED**

4) REVIEW ISSUES WITH 17.32 HOME-BASED BUSINESS

Zac Michels explained what a "Police Powered Ordinance" is. He also stated that every jurisdiction is going to handle things differently.

The Planning Commissioners discussed different situations throughout the community involving Home-Based Businesses.

Bruce Powelson motioned to postpone further discussion until the next meeting, February 22, 2022. Larry Grunn seconded. **MOTION CARRIED**

5) ADD DEFINITION FOR 'RURAL' AND DISCUSS DIFFERENCES WITH EACH DISTRICT

Bruce Powelson motioned to postpone further discussion until the next meeting, February 22, 2022. Larry Grunn seconded. **MOTION CARRIED**

SPECIAL ORDERS

Annual Planning Commission Report submitted by the secretary, Cheryl Range.

ANNOUNCEMENTS

Bruce Powelson discussed the new development off Mason Road, just before Burkhart. He believes there is going to be around 900 units in the development.

CALL TO THE PUBLIC:

Les Andersen discussed the complaints involving the fireworks that were going off on Saturday evening.

ADJOURNMENT: Bruce Powelson made a motion to adjourn the meeting at 9:54pm. Jim Anderson seconded. **MOTION CARRIED.**

SUBMITTED BY: JESSICA TIMBERLAKE