

Submitted by: Tammy Beal

Approved: _____

**MARION TOWNSHIP
ZONING BOARD OF APPEALS
REGULAR MEETING
AUGUST 29, 2022**

MEMBERS PRESENT: Larry Fillinger, Larry Grunn, Dan Lowe, and Diane Bockhausen, Jean Root

MEMBERS ABSENT: Ed Galubensky

OTHERS PRESENT: Dave Hamann, Zoning Administrator, Linda Manson-Dempsey

CALL TO ORDER

Larry Fillinger called the meeting to order at 7:00 p.m. The meeting is also available online.

PLEDGE OF ALLEGIENCE

MEMBERS PRESENT

The members of the Zoning Board of Appeals introduced themselves.

APPROVAL OF AGENDA

Diane Bockhausen made a motion to approve the August 29, 2022 agenda as presented, Larry Grunn seconded. **Motion carried.**

APPROVAL OF MINUTES

Larry Fillinger asked that the persons names that were for and against the applicant have their names put in the minutes. Jean Root asked to have "#6) Definition of Section 3.02 of Farm Market is in compliance with applicant's actual intent, "added to the concluding motion and "Send an advisory to the Planning Commission to review the Zoning Ordinance as it relates to GAAMPS." Diane Bockhausen motioned to approve the amended August 8, 2022 Regular Meeting minutes; Larry Grunn seconded. **Motion carried.**

Jean Root made a motion to approve the August 8, 2022 Closed Session Meeting minutes as presented, Larry Grunn seconded. **Motion carried.**

CALL TO THE PUBLIC

None heard.

NEW BUSINESS

None

UNFINISHED BUSINESS: Review and Discuss the Rules and Procedures

Linda Manson-Dempsey doesn't think we should limit the time that people speak at a meeting and thinks that they have the right to finish. She said that a good chairman can control the meeting and redirect the speaker. If you are going to set rules and time limits then you have to follow thru with it.

Larry Fillinger has never had a problem with the amount of time people talk but stated that we should have continuity with the other Boards.

Larry Grunn says most times it isn't a problem but he's had a room full of people and they talked on and on, thinks there should be a 3-minute limit.

Dan Lowe says it hasn't been a problem with this Board, the Board of Trustees has decided to keep doing things the way they have been but limit each speaker to 5 minutes.

Jean Root says that the conflicting times in the Rules of Procedure needs to be cleaned up, 3 minutes is a fair amount of time to speak. People can come up again to make another point and then the clock starts again.

Dave Hamann stated that the applicant gets 5 minutes to give the Board all the information that they need to make a decision because this is the last sounding Board before a case goes to court. The supporters and opposers then get 3 minutes to state their opinions.

Jean Root made a motion to amend the Marion Township Zoning Board of Appeals Rules of Procedure letter G, second #2 to change 3 minutes per speaker to 5 minutes per speaker, Dan Lowe seconded.

Motion carried. (Grunn-no)

Diane Bockhausen made a motion to amend the Marion Township Zoning Board of Appeals Rules of Procedure letter G, third #2 to (5) minutes per speaker, Larry Fillinger seconded. **Motion carried.**

Diane Bockhausen made a motion to amend the Marion Township Zoning Board of Appeals Rules of Procedure letter G, second and third #1 to read reasonable period of time, not unlimited period of time, Larry Grunn seconded. **Motion carried.**

Jean Root stated that the Marion Township Zoning Board of Appeals Rules of Procedure should be posted on the Township website.

Diane Bockhausen made a motion to correct the Marion Township Zoning Board of Appeals Rules of Procedure paragraph numbering #4.6 G-instead of three sets of #1 and #2's they should be numbered #1 thru #6, Larry Fillinger seconded. **Motion carried.**

Dan Lowe made a motion to amend the Marion Township Zoning Board of Appeals Rules of Procedure Section 4.1 Regular meetings to read "The Appeals board shall meet at least once a month if there are appeals, they will be held on the first Monday of the month starting at 7:30 pm. Larry Fillinger seconded. **Motion carried (Manson-Dempsey-no).**

Diane Bockhausen made a motion to amend the Marion Township Zoning Board of Appeals Rules of Procedure 4.3 Other Meetings- to add "e-mail" to the delivering of the meeting notices, Larry Fillinger seconded. **Motion carried.**

Larry Fillinger made a motion to amend the Marion Township Zoning Board of Appeals Rules of Procedure 4.10 Motions- to read "Motions shall be reiterated before a vote is taken.", Diane Bockhausen seconded. **Motion carried.**

Discussion ensued about Rebuttal at the top of page #5 item #e, it was decided to leave it as written.

Diane Bockhausen asked about the meetings, can she answer questions that people outside of the meetings might ask?

Linda Manson-Dempsey replied that you can answer questions about the meeting but not give your opinion on it. For a closed session you cannot talk about what happened during the meeting.

Jean Root cautioned about how you answer questions, she recommends that you direct people to the website and they can read the minutes.

Dave Hamann asked if it was alright for Tammy Beal to make the changes to the Marion Township Zoning Board of Appeals Rules of Procedure handbook and then give them to Larry Fillingger and Dan Lowe to read over and sign. Everyone agreed..

SPECIAL ORDERS

None

CALL TO PUBLIC

None heard.

Jean Root made a motion at 8:16 p.m. to adjourn the meeting, seconded by Diane Bockhausen. **Motion carried.**