

**ELY TOWNSHIP**  
**Planning Commission**  
**May 10, 2021 - 6:30pm**  
**Meeting Taped and In-Person**

**CALL TO ORDER**

Chairperson Don Magnuson called the meeting to order at 6:30 pm.

**ROLL CALL**

Donald Magnuson, Arthur Gischia, Randy Ruppel, Dustin Kennedy, Aaron Carr – Present. Also, present Fred VanLuven (Zoning Administrator), Erin Stratton (recording Secretary).

**PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was in order.

**APPROVAL OF PREVIOUS MINUTES**

Motion by Ruppel, supported by Carr to approve the Minutes of the April 12, 2021 Planning Commission. Ayes - 5, Nays – 0. Motion carried.

**COMMUNICATIONS/CORRESPONDENCE**

All communications received were in regards to the Public Hearings and will be read accordingly.

**APPROVAL OF AGENDA**

Chairperson Magnuson recommended Approval of the Agenda. Motion by Gischia, supported by Kennedy to approve the Agenda as presented. Ayes - 5, Nays – 0. Motion carried.

**PUBLIC COMMENT**

No Public Comment.

## **PUBLIC HEARINGS**

A. Martin- Rezoning application from Timber Production to R10. VanLuven read his Findings of Fact regarding parcel 52-03-210-054-00. Martin was not present at the meeting. Gischia questioned rezoning this parcel in regards to the Master Plan of the Township. No correspondence was received in regards, and no residents available for comments for or against the property change. Gischia motioned to recommend approval of rezoning this parcel to the Township Board, seconded by Ruppel. Ayes-5, Nays-0.

B. Kuopus- Rezoning application from Timber Production to R10. VanLuven read his Finding of Fact regarding parcel 52-03-210-056-00. Kuopus was not present at the meeting. No correspondence was received in regards, and no residents available for comments for or against the property change. VanLuven stated he did not have a copy of the deed, so any approval should be contingent on that. Carr motioned recommendation with deed, and Kennedy seconded. Ayes-5, Nays-0.

C. Gauthier- Conditional Use for home construction on Resource Production. VanLuven read his Findings of Fact regarding parcel 52-03-211-019-00. Tyler and Erin Gauthier were present at the meeting. They stated they had the deed and would send us a copy. VanLuven stated that there is no need for a Conditional Use as the full property is over 80 acres, there was confusion on the land size they would be developing. It was decided that this application is unnecessary and no action is needed.

D. Haywood- Conditional Use for home construction on a property less than 20 acres. VanLuven read his Findings of Fact regarding parcel 52-03-114-013-10. Joann Haywood was present at the meeting and presented a correct map to the Commission, as there was a recording error in the plat book and current maps available to the Township office. VanLuven requested the original date of deed recording to verify the original zoning of the property. If Haywood is able to provide such, then any building would be grandfathered in, and the Conditional Use would be unnecessary. VanLuven read a letter from Richard and Valerie Frailing questioning the ability to build on a smaller than 20-acre lot. Judith Krause presented a letter prepared for her and neighbors Pascoe's and Barry, stating they are concerned about a home being built there and what the intention of the second house is. She also stated that there is a chicken coop erected on the adjoining property behind the house. Haywood stated that she let the office know about the coop and there was no permit available at the time for her to fill out. Gischia motioned to table the Conditional Use permit to the next meeting, as if the deed is presented, then it would be moot. It was seconded by Kennedy. Ayes-5, Nays-0.

E. Oberstar, Inc.- Conditional Use for Mineral Extraction on land zoned Timber Production. VanLuven read his Findings of Fact regarding parcel 52-03-334-001-00. Oberstar did not have a representative available at the meeting. VanLuven read letters received from: Robert Hollingshead and Tom Oates, Jr. Public Comment was heard from Dennis Kasubowski, Peter Carlson, Pauline Grawey, Angela Kiviniemi, Joan LeClair, Eugene Fisher, Ann Christianson, Scott Marietti, Ron Lawson, Jesse Lawson. All expressed negative comments against the gravel pit and voiced concerns over traffic, road conditions, sound, loss of snowmobile trail, and safety. The

Commission discussed their own concerns and decided to not allow the Conditional Use. Gischia motioned to deny the application, seconded by Ruppel. Ayes-5, Nays-0.

F. Slawski- Conditional Use for a Solar Array at the Diorite School. VanLuven read his Findings of Fact regarding parcel 52-03-410-002-00. Slawski was present at the meeting. VanLuven read the letters received in concern of the building. One was in favor, from Mike Hytinen. Others were not including: Kim Wing, John and Maria Rice, Kirk Frechen, Steven and Barbara Liubakka, Frank Schaffer, Pat Scanlon, Krystal Foreman, Kelly Miller, Brad and Kara Cox, Kenn and Shannon Junak, Chad and Kasey Raisanen, and Kristi Frechen. Slawski then gave a presentation on his company and his intentions with the property, including making it a residence. Public Comment started with Ron Lawson stating his concern with the buildings integrity and the solar panels being near his house. VanLuven questioned the safety of the Tesla batteries and how they were stored. Kennedy asked for clarification on the residence area of the building and what would happen to the rest of the unusable areas. Also stated that WE Energies would be able to supply temporary power if generators were not ideal. Public Comment re-opened with Jesse Lawson, Ron Lawson, Joan LeClair, Ann Christianson, Talia Wunder, Guy Murray, John Rice, Paul Kangas, Dawn Schuhknecht and Doug Pennala all voicing concern over the current safety of the school and asked that it be repaired before any solar panels be allowed. The Commission questioned whether or not a professional contractor has been in the building, and Slawski stated one has not. Carr questioned whether or not the garage doors that were intended for commercial use rather than residential. Slawski asked if possible, to have temporary solar panels with a time limit set on when they had to be removed. Gischia suggested that until the Commission has an Ordinance on Solar Panels written, that no panels shall be allowed. Kennedy stated as there are other ways to get power, the commission should not allow what a resident prefers. Gischia motioned to deny the request, with Kennedy seconded. Ayes-5, Nays-0.

## **OLD BUSINESS**

Ruppel was unable to attend the US Hwy 41 Corridor meeting, but will be at the next one. All read minutes and had no questions.

Discussion about the Marijuana Ordinance started with Gischia reviewing the Ordinances he found online from other townships. His concern is that federally marijuana is illegal, and the message the community would portray if we did have stores in our township. Kennedy is in favor of an ordinance. Carr is in favor due to the revenue and does not want to turn any business away from the Township. The Commission decided to table any further discussion until the June meeting, when they all have more copies of the ordinances to review.

The Annual Report was discussed for clarity of what was needed and why. Supervisor Jeremy Laakso was in attendance of the meeting and stated it was needed by law and gave instruction of the information needed. Gischia stated he would work up a draft for the Commission to review at the June meeting.

## **NEW BUSINESS**

There was no New Business to report.

#### **ZONING ADMINISTRATOR REPORT**

The report was given during the Public Hearings.

#### **PUBLIC COMMENT**

Dennis Kasubowski asked if Marquette County was involved with the Diorite school and if they were aware of its condition. He was informed by Supervisor Laakso that they were at the property last week and are working with the Township.

#### **ADJOURNMENT**

Motion by Carr to adjourn the meeting, seconded by Kennedy. The meeting was adjourned at 9:05 pm.

Respectfully submitted,

Erin Stratton, Recording Secretary