

ELY TOWNSHIP
Planning Commission
October 9, 2023 - 6:30pm
Meeting Taped and In-Person

CALL TO ORDER

Chair Ruppel called the meeting to order at 6:30pm.

ROLL CALL

Steve Bertucci Jr., Michael Anderson, Cheryl Grove, Aaron Carr and Randy Ruppel – Present. Also present Leah Dompierre, Recording Secretary and Erin Bertucci, Zoning Administrator.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was in order.

APPROVAL OF PREVIOUS MINUTES

Motion was made by Anderson to approve the minutes from the September 11, 2023 meeting. Seconded by Bertucci Jr. Ayes - 5, Nays – 0. Motion passed.

COMMUNICATIONS/CORRESPONDENCE

Correspondence was read from the Marquette County Planning Commission supporting the rezoning of the Graham's property from Timber Production & Resource Production to Recreational Structure-10. Correspondence was also read from the Marquette County Planning Commission regarding the rezoning of the Crimmins property from Resource Production to Residential 2. They voted to not support the amendments with comments stating that the public hearing notifications stated a different district than the district reviewed and proposed at the public hearing. They recommend holding another public hearing with the correct districts published and resubmitting the proposed amendment to the Marquette County Planning Commission once proper procedure has been followed. ZA Bertucci will contact Supervisor Laakso on how to proceed and will ask the Board if another public hearing is necessary.

APPROVAL OF AGENDA

Motion by Carr, with support from Anderson to approve the agenda. Ayes - 5, Nays – 0. Motion carried.

PUBLIC COMMENT

Leah Dompierre stated under the advice of Township Attorney Zappa the addition of closing the public hearing before the deliberation and decision is made with the Chair stating the open and close time of the hearing as well.

PUBLIC HEARINGS: (Opened: 6:34pm)

- A. Conditional Use Application from WR Construction, 1060 US 41, Ishpeming Mi 49849: ZA Bertucci presented the findings of fact for an application from Will Rajala of WR Construction to consider granting a Conditional Use for Parcel 52-03-212-054-00 to continue operating as a contracting yard. Mr. Rajala has stated that the property is under land contract with landowner, James Penrose of Greenwood Building of Ishpeming, but the Township does not have a copy of it. It was discovered after a noise complaint at the property that per Ely Township Zoning Ordinance, a conditional use is required for the current activity taking place in the Town Development zoning district. Both James Penrose and Will Rajala were present. Mr. Rajala asked for clarification on why this needs to be done when the property had a commercial business previously in the past. ZA Bertucci clarified that Town Development is what Ely Township considers "commercial" and per the Zoning Ordinance, a Conditional Use must be granted for the new business to continue using the property for commercial use, as the previous business was grandfathered in. Statement from Mr. Rajala regarding the noise complaints; due to the nature of business, they sometimes will be returning to the property in the early evening, and he and his workers try to be mindful of residents in the area when doing so. He stated he intended to stay in the area for many years and would like to continue to have a good relationship with the Township and its residents. He also stated that he does not intend to change the use of the property and will be continuing to use it as a contractor yard for storing equipment. Public Comment was heard from James McCormick expressing concerns over future development of property that is for sale across the street from his home thinking that this was the part of the current property in discussion. Clarification was made by ZA Bertucci that the property he is referring to is not owned by James Penrose and is not part of the hearing but if Mr. Penrose or Mr. Rajala were to purchase the property in the future, the same procedures would have to be followed. With no further questions or comments, the public hearing was closed at 6:45pm. Motion by Carr to approve the Conditional Use application for the continued use of a contractor yard. Supported by Grove. Ayes – 5, Nays – 0. Motion carried.

OLD BUSINESS

- A. Jerzi's Discussion – An email was sent last month to owner Jason Niemi requesting an updated site plan be submitted to the Planning Commission after apparent changes have been made to the construction. Original approval of Conditional Use showed driveway access to back of building as well as required number of parking spaces. Current construction does not reflect this and there are concerns regarding access for delivery

trucks. Fencing has also not been put up, which was part of Conditional Use approval in March 2023 and will need to file extension if not put up by March 2024. MDOT has also been in contact with Mr. Niemi regarding the sign placement along the highway. No response has been received from Mr. Niemi yet, another letter will be mailed to him requesting updated site plan.

- B. Iron Ore Heritage Trail – Bob Hendrickson was present as the incoming Trail Administrator of the Iron Ore Heritage Recreational Area to give information on joining the authority. Ely Township residents have voted no to joining the trail network in the past, as they did not have a clear vision of the benefits of joining and there was a lot of concern over the use of ORVs being limited on the trail. Mr. Hendrickson presented information on upcoming projects they have been working on to improve the trail and what other improvements could be made if a milage is passed. Also plans for possible expansion to create a full circle corridor. The milage is currently .197 and Mr. Hendrickson recommends putting it on the ballot for the General Election in November 2024 for better voter turnout and longer opportunity to better educate residents. The Planning Commission feels that if the accessibility and benefits of joining are better explained, the residents would be more open to it. In order to start the process of having the milage on the ballot in November 2024, a letter from the Ely Township Board must be submitted to the IOHT Recreation Authority requesting to be brought onto the Authority. Mr. Hendrickson stated if we have any further questions or need any additional information, he is happy to help with anything we may need.
- C. Ely Township Signs at Borders – two design options were sent from the Marquette County Road Commission for new signs to define the Ely Township Borders. There are six areas where they can be placed, including two on each end of US 41 and one at Black River Road that will be replaced for consistency. The other three can be placed on Co Rd 581 at the Tilden Township border, Co Rd CD, and Co Rd 482. Motion made by Carr to purchase six signs with the Township logo at \$75.00 each. Seconded by Bertucci Jr. Ayes – 5, Nays – 0. Motion Passed.
- D. The US-41 Corridor minutes were discussed which included the Jerzi's site.

NEW BUSINESS

- A. Ely Township Park Property – the Ely Township Board approved the request to receive bids for a parking lot and access driveway on the vacant Co Rd 496 property. A request for proposal to receive a design for road access and parking lot must now be submitted to the Marquette Builders Exchange. A public hearing will be done at the November PC meeting to rezone the property to public lands.
- B. Bids for Paving – The Marquette County Road Commission is requesting Townships review their HMA paving, crack sealing and pavement marking needs and request locations by October 18, 2023 to receive bids for 2024. After reviewing the 2022 Ely Township Paved Road Ratings, it was decided to submit Co Rd CD (aka Mail Route Road), Co Rd CKL, and Southwood Lane. ZA Bertucci will ask Supervisor Laakso to submit these requests as the Township Board meeting is not until the evening of the due date.

- C. Expiring Zoning Compliance Permits & Conditional Uses – review of expiring Permits, per the Zoning Ordinance, permits are only good for a year after issuance. There has been contact from property owners stating delayed construction due to various issues such as contractor issues, material availability and cost. ZA Bertucci proposes sending a form to each property owner requesting an update on construction and projected completion date. Any extensions may be granted depending on projected completion date.

ZONING ADMINISTRATORS REPORT

Zoning Administrator Bertucci discussed all new approved zoning permits.

Ongoing:

- A. Slawski/Former Diorite School: Attorney Zappa sent a letter to Mr. Slawski regarding ongoing activity at the former school involving the garage and the campers on property. Mr. Slawski inquired for more details, the attorney was unable to give any. There has been no further communication from Mr. Slawski and nothing from Judge Kangas about the hearing.
- B. Carello/Beaupied: a car hauler is now on Mr. Beaupied's property but show no signs of progress on removing junk cars. Received correspondence that Mr. Carello's property will be going up for auction in January for non-payment of taxes.

Next month there will be a public hearing for Rezoning for Ely Township Property for development off Co Rd 496 and Conditional Use for solar panels at the Ely Township Hall. Currently taking Master Citizen Planning classes until November.

Erin Bertucci, Zoning Administrator

PUBLIC COMMENT

None.

ADJOURNMENT

The meeting was adjourned at 7:42pm by Chair Ruppel.

Respectfully submitted,
Leah Dompierre, Recording Secretary