

**Charter Township of Ironwood
Planning Commission**

**Special Meeting/ Public Hearing
November 11, 2016**

Call to Order of Special Meeting: 6:00 p.m. Pledge of Allegiance.

Roll Call: Darrin Kimbler-Vice Chair, Joe Kafczynski, Steve Boyd, Joe Rohde, Bob Lynn, Jason Hofstede-Chairman, and Sandy Lahtinen – Secretary

Absent: None

Also Present: Joe R. Pisco, Kevin Schneller, Tom Schneller, LeRoy Johnson, Jim Rooni

Public Comment: Hofstede apologized for meeting on a Friday night but explained that was the only date that worked. Lahtinen reminded audience that there is a sign in sheet for people that would like to speak. There should be two. If there's just one, anyone on that sheet can speak. Just one. No public comment from audience.

Additions to Agenda: None

Approval of Agenda: Motion by Lynn, supported by Kimbler to accept the agenda as presented. All in favor. Motion carried.

PURPOSE OF PUBLIC HEARING:

Consider:

Consider the Rezoning Request of Leonard W. Rooni Estate property

Petition to rezone two parcels being 03- 01-536-800 and 03-01-536-200 consisting of 25.85 plus acres in section 13 from commercial to industrial. The property sits between highway US-2 on the south and Bluffview Rd. on the north E5782 E. Highway 2

(See attached information from Zoning Administrator LeRoy Johnson)

PUBLIC HEARING:

OPEN PUBLIC HEARING:

A motion to open the public hearing made by Kafczynski supported by Rohde to enter into Public Hearing. Roll Call Vote:

Yea: Kafczynski, Boyd, Rohde, Hofstede, Lynn, Kimbler, Lahtinen

Nay: None

Absent: None

Abstain: None

Correspondence from Zoning Administrator: Thank you. I sent you all sort of a shortened letter in regard to this rezone. (attached). The rezone is to change the commercially zoned two parcels (applicant Jim Rooni), to industrial. The applicant is Jim Rooni and he is here tonight and he will be given a chance to explain his reasons for the change. Presently there are no properties in the township that are zoned industrial. We have it in the zoning ordinance but there are none that are zoned at this time. The zoning ordinance for industrial allows six (6) permitted uses for the industrial and they do not need permission to use the property in that way and there are also nine (9) special uses (heavy industrial or manufacturing.) In evaluating a rezone one looks at whether or not if there's consistency, compatibility, and capability. Those are the three (3) things that we as a planning commission would look at in the request. The consistency portion of it sort of deals with the Master Plan (2012) and any other things that we have in the master plan. In this case it envisions changes within the Commercial District and describes it as the corridor of mixed use (8.2), which includes light industrial. So the Master plan sort of quotes sides with this in allowing industrial. Our neighbors to the East, Bessemer township, they have what is called a M2 District. They have the exact same envision so that properties to the East from outside the Charter Township of Ironwood allows the very same. To the west is still Commercial, if you look at the little map that I gave you in regards to the Master Plan, the Master Plan sort of envisions some industrial use to the West side of Section 12 road. Future use. So again, it's in the same general area, and it's envisioning as having industrial use in there. (See map of industrial.) Capabilities, the parcel has electric power on site/well/septic/ municipal water supply that runs along highway US2, and of course it does have access to a four (4) lane highway, a class A highway

Boyd: Are there any limitations as to the size of the septic system?

Johnson: No, not at this time. Anything that's going to go in there would have to come in with another site plan to us and at that time those things would be taken care of. We're looking at to make a rezone, we have to look at the industrial zone because all of the uses within the industrial zone would be open to the person that owns the property. The six (6) uses that are by right, I sort of looked at being light industrial, and the other ones are by special use permit are the more heavy industrial uses so that there's a second step that has to come into play. They would have to come before the PC one more time if it's not a regular or within those six (6) uses. Other than that I've given you a lot of information (attached), and what I'm saying now is that our Master Plan sort of allows this sort of change and it's envisioning it for the future so there is no problem there and the property size, I guess I didn't go into that yet, the main property is large enough so that the acreage is there so that there's a buffer especially to the North and South, there's really nothing there at this time so it can be buffered, I've gone through the property, there's pretty much a tree line on the North side so there's a natural buffer there, there are some mounds that also buffer to the south for any sound that would

come into play depending on the industrial use that would be going into that property. Other than that, if you have any questions, otherwise I'm done. I think at this time you should give Mr. Rooni an opportunity to speak and then you can ask residents after.

Correspondence from Residents: (Written Material to be ready by secretary)-None

Rooni – First of all, I feel like I should thank LeRoy for all the information that you supplied and I tried to fill out the application supplement to meet all these consistencies, etc. But I want to sum it up this way as right now there's two (2) people working in there and my sister's and I have managed the property and we're looking at a future for that property. And it's being used industrial now, my Dad built it for industrial in 1967. And we're looking at the Master Plan and looking at what we're doing now and we're currently doing a non-conforming use of it which is industrial. We're thinking at some point we've got to sell it. Obviously we want to cooperate with the township with the future of this property. We'd like to sell it, we've had people talk to us about it. Not only that, people have talked to us about it, we'd like to get more jobs in there. Currently got Webster well drilling in there, we'd like to keep them in there. We feel the property could support two or three businesses if it's light businesses. But we looked at this corridor of mixed use, and we looked at that offers some light industrial, but if we find somebody that wants to use it like it's been used, even with Webster Well drilling, I don't know that they would fit the light industrial. And you know we looked at you have these meetings four (4) times a year and if buyers may want to move faster and we also talked to people that have mild interest in it and they say "what's it zoned for", We feel we want to invite somebody who has a similar use, to not be afraid to move in there. For us we know, who knows who wants to buy it but we're thinking if you look at the convergence of all the highways that come to Ironwood, the six (6) highways coming from WI, three (3) upper MI highways running parallel to Iwd. We're just hoping we can attract a satellite business or some business that wants that US2 access to come to the area. So we're going to take a good look at what businesses we might invite to the area. And we think with the continued use as is is the most likely to invite a business as opposed to saying that this is commercial and they could possibly be light industrial. And as far as the electricity, it's three (3) phase power, three (3) phase power doesn't sell to a Dairy Queen. And the final point is, I would say that Ironwood Township through the years has done some rezoning where they went down the US 2 Corridor and said this would be mixed use. At that point, I think my father's property may have been an oversight as his is pretty far back and he does have industrial use so I think the old thing, it's kind of grandfathered in in a sense. Those are industrial buildings so not only does it have 3 phase power, there's fourteen (14) foot doors, sixteen (16) foot ceilings, and it's just not the place where you're going to put a restaurant and it's just not visible from the highway. And it's kind of wetlands pretty much all around it, it's kind of isolated back there. So anyway, those are, and there are even more points that I tried to include on the application that we feel that it's kind of natural. To relook at this, with now that this property is exposed to the Planning Commission, we feel that in 2005 or whenever the State of MI said now we gotta look at things it didn't make sense for the township to say here's a 1000 foot corridor but had we invited you in at that time and said, you know, 650 feet back here is some industrial activity.

Boyd – Can you give some examples of this, that would not be allowed in the commercial, that would be allowed with what you're proposing.

Rooni – For the best summary of that is businesses probably that would need a fourteen (14) foot garage door, light industrial is car repair, the master plan industrial would be truck repair. And again when I talk about the highways coming through and what business you could attract there would probably be one small business that provided truck repair, that would make more sense than auto repair.

Kimblor – I guess we have a regular meeting next month, why the hurry I guess, why spend the extra money to move it forward in just one month, the public hearing now instead of December.

Rooni – Better question is, why did I wait so long. You know I've really wanted to get this moving, my sister's and I started on this and did not expect this to be a hurdle. I'd like to expose this property to as many interests as possible, especially outside the immediate area. Obviously if someone in the area wanted to develop a business there it'd be wonderful but so I talked to several commercial brokers, just to get a feel for what's out there and a couple came back and said, "How's it zoned," and to be honest I had one company that I thought would have been great for the area which was a welding company and they were in there temporarily, loved the property, and I sensed that they may have a long term interest so I asked them, because they had big equipment and were serving the pipeline through the UP and they said what is the ordinance in there and LeRoy first came back, it was about 8 months ago, and I think the ordinance has become more defined and improved since. They must have looked at the ordinance and felt it wasn't friendly to them and they weren't going to say that, and I'm not saying the ordinances were too strict but it made me look at the fact that my Dad had an industrial use but the township didn't have zoning for industrial use.

Kimblor – was one of your potential buyers the Medical Marijuana company? The reason I asked is that the new Marijuana laws specifies they can only be located in two (2) districts. Agriculture or industrial. We had a gentleman at our last meeting in September who said that he was talking with property owners in the township. If that could be a use in the industrial zone and the township hasn't had a chance to look at the new law. It's kind of concerning to me that a company could come in there that the neighbors don't necessarily appreciate it, without knowing in advance.

Rooni – I've never been approached or would never even think of that one. We're a local company. If it's a local company it's somebody

Rooni – We've looked strictly at, were a local company, but if it's a local company it'd be somebody that'd have to repair their trucks. ???200 ft. highway, 6 to 700 ft. back, compare apples to apples, 200 feet highway frontage, 600 ft. back, have buildings, grandfathered in, 3 phase power, this site fits. Two (2) acres on highway, commercial only, access to buildings is

Boyd – LeRoy, with the changes requested, would we have to look at changing some of the surrounding lands? Different from spot zoning? So, it would not be rezoned, but there would be special use permits for those uses? Do it on an annual basis? Will it pass on to the owners.

Johnson -The petition is just for that property. No one else, since I've been here has requested to change from commercial to industrial. It's not a spot zoning, plus the MP allows for some of these changes and the neighbors on either side at this point the neighbors on the West side would probably have to ask for the same thing, a rezone of their property. But one thing, I have discussed with Mr. Rooni was to add special uses within the Comm. Dist. Which primarily and as I looked at it I never informed him but would be the permitted uses in the industrial district as a special use. Then, if there's any other property owners in that area, they then too could take advantage and apply for a special use permit and it could tumble into everybody having light industrial at that time. Not annual basis, one time, it'll pass on with the owners.

Kimbler – we'd have to amend our zoning ord. to allow that.

Johnson – yes.

Rooni – and that falls into the issue of why so late. My sisters and I actually got some professional consultation on exactly that. Going back to why I interjected that thought about a potential buyer. Is Iwd. Township going to be friendly to me coming in, using the welding company as an example, there's no industrial at all, there's a meeting in 3 months, what is there now, LeRoy mentioned 6 potential ones, none of them seemed friendly to like a welder with equipment coming in and out so we would rather get this moving now and have this meeting maybe rather than having 4, with potential of is this going to meet the board's idea. We just felt, let's go with your MP to be in sync and if a business comes in you do the site proposal or whatever reviews you have available in your MP. And we've been told by a commercial broker that it should be something that's going to be inviting. Should we find somebody from Thunder Bay who does commerce in the Lake Superior area. Are they gonna come here and set up a satellite plant? A broker is not going to tell them, lets drive 8 hours on a hope and prayer that the board will allow. They want to see the Master Plan, will Iwd. Twsp. Welcome this business, so we don't want to lose a potential buyer like that.

Lahtinen- I have to ask this, you said it's surrounded by wetlands. You realize, with the wetlands, that DEQ permits would have to be obtained depending on the business or how close to the wetlands you are?

Rooni – That land, my dad happened to be very familiar, him and some business partners went in there and they went in there because they knew there was some good high ground in there and they did haul in loads to level it off and they improved it as an industrial site. And right to the point if you're talking about industrial sites the Gogebic County Road Commission was looking at that property as a suitable site. The whole point is that is that it is an industrial site, built that way, but the wetlands, there's some on the 25 acres, there's a little bit of interruption, you can see the ponds and there's a couple of corners that might not be buildable but otherwise that's a high ground industrial site.

Lynn- Mr. Chairman, I'd be kind of interested to know how other property owners in that area feel about this. I see Tom Schnellers here tonight if he has opinions he might want to contribute.

Schneller – Lots of them. Thank you. I don't have a problem with a truck shop. I'd have a huge problem with a medical marijuana facility. Don't even have a problem with a blacktop plant setting up there. I'm kind of concerned with there are no other neighbors here. I was under the impression that if you are a surrounding land owner, the township should be sending us certified letters saying this is going on, we didn't get that, so I kind of question if this hearing is even valid, and my concern is that other people might be interested with what's going on here. I've read the Master Plan, Leroy did a good job of covering that but if you it here I'll be coming here tomorrow and asking that all my property be rezoned on the highway. And you know the original intent is commercial, commercial is retail, and it's a whole different mix here. And if you give it to him, I'm going to want it on mine, cuz it's only fair and I don't think that's the direction that we want US 2 to go in. Other better uses for it, he is set back from the highway, I like that, but to give him a blanket for industrial use, you could have a lot of stuff in there that's going to bother a lot of people. I like the idea that's it's tucked back there, but if somebody's going to build a 20 thousand foot sawmill back there and it's going to make noise and that could be a problem. Um...light commercial gets pretty wide open and that's where light manufacturing is a concern of mine. Do I build a motel right next door to it and there's a noise issue, is it going to limit that. We own the property right across the street, depending on what it is, what kind of truck traffic are we dealing with. We looked at the property across the street for a Motel the first thing MDOT says you're going to put three (3) lanes in there. Alright, I don't know if you're going to get three (3) lanes in there at that entrance because of the wetlands, so I think there's a lot of questions here. You know, back in 2010, there was a change for a reason. I don't know what the reasoning was for those people, but you know you talk about grandfathered in and it's no different than farms out in the township, and if they're sold they can't be farms without special use. Alright, we've got mixed use all over the township. The enforcement is, I mean you're making jokes about the blight, you know I can't drive down the road at night without counting 20 buildings that have to be torn down so we keep making all these rules, we don't have the time to enforce them and if you do enforce them all you guys would be strung up so we haven't come out with a timeline in the township to say that in five years all junk cars in the township are going to be gone so this is just a perfect example of when you start picking and choosing of what you're going to allow here, people are going to come back and say well you allowed him to do that. This building's been here since 1967, my buildings been there since 1967, well we want that to be a residential area now so we want that gone. So I guess what I'm saying, nothing against Mr. Rooni, I'm sure his Dad's intent was to have a concrete plant there forever, it would have been grandfathered in but here we are and like I said a mechanics shop, if you approved it to that, absolutely no problem. Give an open zoning on that, a big concern of mine is the adjoining neighbor.

Rooni – a couple of responses. Yeah, there's a 200 foot highway. When we talk about your property, I saw what you're saying, but my dad's property is 6 to 700 feet back but you make a point, you say 200 feet, 125 in, so apples to apples, yeah, there's 200 feet of highway frontage

for the road coming in otherwise, the reason I'm saying is that I'm 600 feet back and I have buildings there that were industrial buildings, I mean the grandfathered in thing I don't think can be ignored and that my sister's and I have kept them up and my Dad's built them and there's 3 phase power in there, it's not that very site has this because this site fits. Now, if you look at my plan, I go into these details as to why this site is unique. Now if you were to say well let's take that two acres that come in from the highway, and that'll be commercial only, that's fine. Needing access to those buildings is very important. And again, Leroy mentioned the neighbors in Bessemer township and we go a little down the road and Tom has got a similar business in I'm assuming it's trucks, he's got a road coming off the highway right near his real estate and he's got his buildings there similar to what my dad has and maybe even closer to the highway and if he were selling his property I don't know how Bessemer township looks at it but I would think it would be hard for Bessemer township to say, No, we don't want you to sell it for truck repair, we want a different thing in there.

Kimbler – I believe you're sincere. The only hang up I have on this is we don't know what would go in there and that may open up a whole can of worms with the neighbors. Once you sell the property, it could be turned around and sold again and we have little way to regulate that because it's already been zoned and they have that blanket, that open check there. And for rezoning I'd like there to be a purpose, a building, you know a company coming in with a plan. Just to have that as a selling point for the property, I don't know if that's doing the township any good because we may be back here in 6 months with the new owner and the neighbors up in arms as it's creating a lot of problems or potential problems.

Rooni – So, you're saying, you see I'm saying is that this is tucked away. It's been there, Industrial for this long, but you're saying the Master Plan, I mean in your MP you say you allow storage, and food processing, and I don't know about medical marijuana but where do you want these types of businesses?

Kimbler – I think we don't want the types of business, we just want the business to be present when we approve.

Rooni – So this is my point. My sisters and I are trying to invite potential buyers for satellite operation here. And we've got to show them that Ironwood Township has no place, and you've got many square miles, but there's no place where you're saying you'll take an industrial business. And that is a very unwelcoming thing. To have a guy from Thunder Bay to come down to entertain possibly setting up in Ironwood and there's not one acre of industrial, how am I going to convince him that this is a board that you want to talk to.

Schneller – That's a tough call though. There's a number of lots still available in Ironwood Ironwood's Industrial Park/Bessemer that have sewer and water to them, you know they're already there. Whether you guys were on the board when this all happened in the days of Tom Christensen. Ok, where are we really going, are we going to have Industry in Ironwood Township. And at that time the Tax free zones started popping up. I think we still have one tax free zone at the airport, and that's where our industrial was supposed to be built. So it wasn't ignored. This township didn't jump on that bandwagon and put in roads/o sewer/water where

lwd./Bessemer/even Wakefield did it. It's not like you guys were behind eight (8) ball on industrial buildings. Yeah, I just want to reiterate, I don't have a problem of a specific use ok, if it's a truck garage, great, go for it. But it's too wide open, the way it's worded.

Rooni- It's what the Master Plan, Bessemer might have it, Ironwood might have it but we have an existing facility that could attract a satellite operation and by the way, just recently I talked with a food distributor and I'm inviting them, two of them in the Midwest, would you want a terminal at the end to unhook your trailers. My point is that my sister's and I are sitting on what is potentially a natural industrial park, already existing, and we're offering to market it. Originally when I called LeRoy and asked for the ordinances I said LeRoy do you think you could help us find a buyer. By the way, I talked to CEO of food company and he told me, he gave me a tour of his food facility and he said the reason I'm here is the county came to me and said, would I set up here and bring my jobs, and I said no, I looked at it and I can't afford it. And the county invited bankers and put together a plan and he's there now. This is the same guy he told me Jim, I understand you're going to talk to the Ironwood Township board and I'm just telling you what my county did. And I mentioned it to Leroy and I have no intention of asking Ironwood Township to work with us because I'm planning to do this on my own, I will hire consultants and solicit professional advice but I'm saying that my sisters and I are sitting on a natural industrial park that the twsp. Can do nothing but benefit and we're going to put in the work. I'm not even thinking of offering tax incentives, I'm interested in Tax base going up for lwd. Twshp. I mean, I'm on the same page, I feel that the tax rolls are in line with Ironwood Twshp. Now, obviously we're interested in selling our property but if we can bring jobs in and a good company, or more than one company, I feel there's a lot of potential.

Kimble – LeRoy brought up something early in the conversation of amending the commercial district to include industrial district uses as special uses. That would cover a lot of what you're talking about. But first people would have to come into the PC to get a special use permit. That gives the township a little bit of oversight on what's going in there. Would that be amendable that would open up some of the stuff from rezoning it industrial.

Rooni – Back to why am I pushing forward. I've tried to analyze both with LeRoy's help and professional help and we got it between a rock and a hard place that even though I bring up this you meet every 3 months and my buyer, I don't who that is and what their timetable is and maybe we need to have a special meeting for that but beyond that in convenience of time, I want to be able to tell the buyer that lwd. township welcomes new jobs. I don't have to tell him that there's tax incentives and all sorts of grandiose interests, I just want to say, I can't say there's not one (1) industrial acre in Ironwood Township but they want an industrial company. We're gonna lose what could be a good potential buyer, this whole thing about my dad has an industrial site with US2 access, but lwd. Township does not 1 acre industrial zoning, Even though my Dad had an industrial site. I'm a little concerned that that may have turned off the welding company, I'm not using that, it's just my personal observation, it went silent after reading, you know I sent them the zoning maps and whatever

Boyd- But I think what we're concerned about is that we wouldn't want to surprise the neighbors by something else coming in there. LeRoy, When you're talking about special

permits, making it industrial in that area is it possible to do that and be more specific to weed out something that would be obnoxious to the neighbors.

Johnson- you could put in the actual uses. You could say light industrial and list each and every one that would be allowed by special use permit. Even I suggested the permitted uses in the industrial district. We could have a special use in a commercial district and that would open it up to any other property owners of the highway within that area if they wanted a special use permit it's one stop shopping because you only have to stop here.

Boyd – I understand you want to sell the property and the more options available the more people would be interested. We're concerned about exactly what would go in there as well as the resonating effect on the surrounding properties. Which options would extend to the Commercial District. You don't own the 700 feet, that lands a buffer. Correct. So someone else could do something else with that.

Boyd – But what Mr. Schneller was saying about Establishing precedent? Then other people along the corridor would come through? Will that be a problem with this precedent?

Johnson – No, they have that right to petition for it, that's what Mr. Rooni has done now, we discussed this in length, I sort of tried to convince him to go with the special use but that was his decision and.....

Rooni – Well, I'm going to make a comment on that. And I'm going to use an example, Tom's got a similar truck repair business. I can see that he deserves a little attention if that person comes in and says I have 10,000 ft. of 14 ft. garage doors I'm on that guy's side. I'd say Yeah, that's precedent, you can't have that guy knock his down and build a restaurant

Boyd- No, but what we're talking here is different but giving you special use is not predicated on buildings already there. They're there and that's a fact but a special use is not really relevant if there's a building there or not.

Johnson – What it does is add within the commercial district, what you want, and I'm sure you're prefacing the permitted uses within the industrial district, aren't you.

Rooni – These are the permitted uses for the industrial. I think the real stickler was the corridor or mixed use, that it will allow auto or light use.

Johnson – If you're looking at the Permitted uses of the industrial district does that show what you want. That's the premise that we're working on. 1-6 those are permitted uses.

Kimblor –The Master Plan was just a guideline to write our zoning ordinance. The Master plan is forward thinking ,25 years. A-F would become special use. Would not have to come before township to get a permit.

Rooni- Well then, 1 of 6, veterinarian, building supply yard, these are 6 permitted uses. These are for the industrial Don't want to use Dairy Queen as an example.

Lahtinen- LeRoy, I have a question, where does it say light industrial in the zoning?

Johnson – it's in the Master Plan.

Johnson – The first 6 are called use of right, in other words you don't have to come in, all you have to do is supply the site plan

Rooni – But my understanding is if I had a potential buyer and they wanted a special use they would come to you for that. And as I recall that is something that made sense and somebody has got to feel invited and going to be welcomed

Rooni – so this permitted uses on industrial, you're saying we wouldn't do it that way.

Kimble – well if we were to amend the zoning ordinance to allow these special uses in commercial district as to rezoning as an industrial district those A-F would become special uses and they would have to get a permit. A special use permit at that point before the commission.

Rooni – so in other words, if someone was interested in putting one of these 6, they have a business, and they said that spot would be good, and I would say whoa, whoa, not so fast, we've got to meet with the board I'm in a spot where it can't be that uninviting where as in a Comm. Use I don't picture and I don't want to use the word Dairy Queen because there's other Comm. Uses but what I'm saying is that there's Being that far off the highway is just not going to attract Comm. Business. When I'm talking with these food distributors I can't think of commercial businesses that I would talk to that would want to be 600 feet off the highway. That's my only point is the mentality is that somebody that would seriously need that property would got to feel invited. That the township, or Gogebic County wants those jobs and is going to be welcomed. That's the fine line where we're working here.

Johnson – allowing those 6, those additional uses in that commercial district would sort of double...

Schneller – any developer has to deal with the zoning and it's a pain no matter where you are.... You gotta look at the big picture, he sells the land to somebody and the food service thing didn't work out and he happens to buy the 10 or 20 acres in front and he mows down trees, and then you've got this industrial island in the US 2 corridor. And is that really what you want. That's a big question mark, we're doing this for today, not 20 or 30 years down the road. I like the idea of making special uses on the property but then I would suggest that for everything in the green up there. But do you guys really want to do that as that's a huge change to your master plan.

Rooni – It is 650 off the corridor and it is an island out there and as far as people coming, zoning, no, I'll give you another example of a commercial broker that has a potential of a good client, I just got lucky enough to hit this co and he said in your area, would they be interested? And I said I would talk to them. Do you have it listed with a commercial realtor, and I said no, not a chance, and he said we need to list it with a comm. Realtor because my client is not going to take time and then find out it's sold wrong. Client has to know before he commits. I have a guy that drives 140 miles to look at my Dad's property, to potentially get it out there on the market. And he says how is it zoned and I say well I'm working with that now and I said it's

commercial and it should be industrial, and he looks around and says that shouldn't be a problem. I can tell this guy sells a lot of property and there wasn't going to be any suspense about it. And if I go back to him and say it's commercial it's just not going to present the way the property presents. There's certain things we have to know before my clients going to move and again this is much closer in Thunder Bay. But the feedback I'm getting is that Commercial Business feels like ready to go, doesn't set a precedent, grandfathered in, we have to get industrial jobs for commercial jobs to operate, no surprise to neighbors, bewildered buyers. To sum it up, everything that's been talked about across the board but I'm running very late in doing this, we've put a lot of thought into this, and the thought is that we have to have a business feel like things are ready to go and the Twsp. Is welcoming this. And again, if lwd. Twsp. had industrial acreage here and there it would be more inviting, but the fact is that there's none and the fact that there's such hesitation, that I have to say, we can find out in 3 months or whatever it is, all those things together put it in a position where I had to be here tonight. Saying this is an isolated case, it doesn't set a precedent, this is grandfathered in, no different than the City of lwd. having all this industrial property, I see the city having and then there's junkyards and whatever else and I understand that and I understand the zoning but the fact is that we have to get the industrial jobs in here first before we can get the commercial property to develop. And I wish we had more than 700 feet off but there's the a barrier and buffer and it is isolated and it's never been a surprise to the neighbors since 1967 when there's been some trucking and repair going on there.

Boyd- I understand what you're saying, you want to sell the property and obviously the more options available the better to sell, which makes sense. We're concerned as far as what would go in there as well as the resonating effect on surrounding properties. But you want it beyond the Comm. District.

Rooni – Correct. Then again, they're all fair statements but I'm not looking for options as much as we're looking for a business that needs 14 foot garage doors and access to the highway and to utilize the buildings already present and also the land, again there's the welding company was in and out of there with equipment that was heading in every direction that we've got the 5 highways all funneling into Ironwood and that's where the market is. It's options of lwd. being a western gateway to the UP. Once you're 700 feet off the highway, I'm not going to be talking to Dairy Queen.

Boyd – You don't own the 700 feet off the highway, so somebody else could do something with that.

Rooni - Correct

Johnson – I tried to steer Mr. Rooni into a special use permit within the commercial use basically because of the special uses within the industrial district that one could request. Some are not manufacturing, waste storage facilities, junkyards, lumberyards, incineration or dumping of garbage, etc. I don't feel that that's what appropriate for that district, that area, so if we change it to industrial and that's why I wanna try to steer him into staying commercial and

adding permitted uses of industrial but by going to Industrial you are opening the door up to those special uses. And I think that was my problem with it

Kimblor- Look, you're less than a mile, ½ mile up wind from the hospital and so some of these things, you know would definitely not be compatible with there's people for example, air quality, My concern on this whole thing is not having a use established

Rooni – LeRoy, you're saying these special uses are automatic

Johnson – Not automatic but they're allowed, they're allowed with a special use permit, in that area my thought is that's why I tried to steer you to stay within the commercial realm and add light industrial uses that would be compatible in that area

Rooni – if these were acceptable to market as and these are not, because the answer is no, I'm not looking to market to any of and of these special uses

Johnson – well that's the question we posed to you and you said no you wanted industrial but there's a possibility of moving those permitted uses as a special use in the commercial district and you said no

Kimblor – My concern is, you may not be marketing to those special uses but the next owner could

Rooni- Again, LeRoy, as I recall, the special uses about commercial. As I recall it was Solar/cremation/display signs, there were about 4 or 5 things that were not relevant. I never understood this to be part of my market plan

Johnson – What I said is that we would put in light industrial uses and that was a possibility

Rooni- Permitted industrial uses would be allowed with spec. use permit, that would include auto repair, not truck repair

Kimblor – auto repair is already in

Johnson-If I can be honest with you, you are giving me and perhaps the board a warning that special uses to go in there, that's why I suggested to go with the permitted uses within the commercial district and not the special heavy uses that are also tied to the industrial

Rooni – I don't mean to do that, I never understood it that way but what you're saying is that permitted industrial uses would be associated with my Dad's property by special use within the permitted district which is not how it reads right now, then that was my issue

Johnson- I told you could ask for the rezoning or you could ask that special uses be added to the commercial district

Rooni – what special uses? Lite industrial. I've never seen these six associated with my Dad's property, are you saying these six permitted uses would be a part of my Dad's property?

Johnson- light industrial, primarily the first six are sort of light industrial, that's why I'm saying that you were looking at the special uses in the industrial as your primary. I sort of think that's what was being offered.

Kimbler- Amended zoning to allow six (6) uses, in a commercial district, just use a special use permit to do it, which your Dad's property is now zoned a commercial district, so we wouldn't require rezoning to do those six (6) uses, just a special permit to do it.

Rooni – Now we're back to the come on down from Thunder Bay and time it right so that we're at one of the board meetings. We don't have an industrial district but they'll probably want your business to come in. Maybe I did understand that part but again the existing with light industrial,, and then the special uses to the light industrial, again it gets a little confusing but maybe I did understand it at one time but I get back to this fine line of a potential satellite company welcome or not? And the answer is maybe, I have a commercial broker, standing on the property and he says is this industrial, it's an embarrassment to say that no, it's commercial. Shocking to a reasonable person that you could be not able to sell that to somebody whose business needs some garage space.

Kimbler – it's always going to be maybe

Hofstede- To me this whole situation kind of parallels with another situation with someone who wanted to spot zone their property. It seems like it would be a reasonable use in their area, according to the MP, but we won't spot zone so it's easier for you to sell your property. We would need to rezone that whole area in order for you to rezone industrial.

Rooni – what area?

Hofstede- the whole corridor

Rooni – you'd have to rezone the whole corridor?

Hofstede – I don't think anybody on this board wants to do any spot zoning.

Rooni – I missed the corridor part

Hofstede – if we would rezone the whole corridor as industrial in the future then you would market it as industrial. Right now it's not industrial so you can't market it as industrial. Whether it should be or not, it's not, so that's how we have to proceed.

Rooni – that's why I'm here, because it's not.

Hofstede – I understand but I'm saying that I don't think anybody on this board wants to do any spot zoning. And that's what we're here for is to rezone your property. That's what this meeting is for. We understand your argument, we understand your dilemma, at least I do, it seems like some other people do as well, but that's your predicament, it's not made by the township. **Rooni** – it is in a sense that – Hofstede, no, that's what your property is zoned at, as of, I don't know, that's what it's zoned now. **Rooni** – what was it zoned when my father built it (2010), **Hofstede-** I couldn't tell you, I wasn't here but I'm telling you what it's zoned as now.

Rooni – my point is that, 2010, what was it zoned

Hofstede, you can't go back 50 years because 50 years it wasn't

Kimblor – can't look at the past, have to look at the future.

Rooni – non-conforming use and it's grandfathered in

Hofstede – that's for the owner, not for a future owner, if you change ownership, the grandfathered use does not go with the new owner because we have to rezone the whole corridor.

Schneller – Let me give you an example of a real estate broker, looking around. Right now the Bolich farm on Junet road, gets sold, it cannot be a farm without a special use permit. It's been a farm there for 100 years. Can't sell it as a farm without a special use permit. That's zoning, like it or not.

Rooni – if the township felt that it made sense to have the farm there, how do you go about it.

Hofstede- I think we're giving you the option. We're giving you the way to accomplish what you want to do without spot zoning. And because you want to market it as industrial light, that makes a lot of sense, but It's not industrial, it's commercial. The property is zoned as commercial. Whether it's grandfathered in that way or not, that's for the owner that has the property right now. And that's what this meeting is for tonight, to decide whether we're going to rezone your property.

Johnson – And the board has to do what is best for the township. That's first and foremost. Personal desires, changing zoning, is and can't be a good reason to change it. That's why I told you that a Special use to light industrial within the commercial district would be more acceptable than to change the whole district to industrial and allow extra special uses to come into play. That's what the board has to look at. The neighbors then, I don't know if they would want those Special Uses to come into play. To change the zoning to industrial they do come into play. So what the board is looking for and I was looking for is some assurances that it's gonna be a light industrial use. And you do that by adding it to the commercial district as a special use at least and then you come before the PC to get the Special use. That's what I tried to get you to do and you made your final decision. We're not against industrial, no we're not, we're looking to getting not the highest and best use of the property for you, but the highest and best use for the township. It's their obligation.

Rooni – I understand that and believe it or not, I'm also looking for best use of township. If you recall my opening comments LeRoy, I Want to work with you – how can we do this? Everything everyone is saying is fair. I worked with you for five or six months and every time I brought it up there's probably a, better way or more compatible, to everybody, that's acceptable. But the point here is, I'm not asking you to sell it. What I'm getting to is I have to tell someone that's looking at this property and lwd. Twsp. has no industrial acres and it's a combination of this stuff. lwd. Township may approve your use and they're saying we want to use it like Webster

well drilling is using it now. And I'm saying is I don't know if you can do that and that's the fine line that if Webster

Johnson – Webster is a commercial business. That's considered commercial. He's not manufacturing on site, he's out well drilling somewhere else.

Kimbler- Does he charge sales tax when he drills a hole. That's considered a retail operation.

Rooni – Tom do you charge sales tax,

Schneller – no, in delivering gravel, if we manufacture gravel we pay sales tax

Rooni – not when you deliver gravel, it's a fine line. If Tom Schneller or Ruotsala wanted to move their business in the township, I think that's considered industrial. No sales tax, what's fair is fair. I don't want to be hard headed but this is where I have a hard time with commercial.

Rooni- would Ruotsala or Schneller be approved telling a commercial broker that's what to do

Public Comment (as called upon from Public Comment Sign-in List): No additional comments

CLOSE PUBLIC HEARING:

A motion to close the Public Hearing at 7:17 p.m. and reconvene the Special Meeting made by Kimbler supported by Lynn Roll Call Vote:

Yea: Kafczynski, Boyd, Rohde, Hofstede, Lynn, Kimbler ,Lahtinen

Nay: None

Absent: None

Abstain: None

CONSIDER:

Kaczynski- I was just wondering are there a lot of wetlands there? And land going to Section 12 Road. There's quite a bit of them there.

Hoefstede – Not his property, but between his and the highway.

Rooni – you've got a stream coming along there so it's not in his property but the lower

Lynn- As I recall, the othmmer side of Section 12 road, there is wetlands, Walmart originally looked at that but the wetland issue came up where they had to go across the road.

A motion by Lynn supported by Kimbler to not recommend the rezoning of two parcels being 03-01-536-800 and 03-01-536-200 consisting of 25.85 plus acres in section 13 from commercial to industrial. Yea being to not recommend

CONDITIONS:

Yea: Kafczynski, Boyd, Rohde, Hofstede, Lynn, Kimbler Lahtinen

Nay: None

Absent: None

Abstain: None

Motion carried.

Public Comment: A citizen commented as a footnote on wetlands. Wetlands aren't the end of the world, ok. You can fill them in with permission, and you can move them, with permission, and you can move streams with permission. So just to kinda hear that you guys were hung up on wetlands. Don't be, from a developers standpoint, yeah there's all sorts of bells & whistles you have to get through it. We've done some. You guys aren't wetland people, you're zoning.

Adjournment: A motion made by Kimbler supported by Boyd to adjourn Special Meeting/Public Hearing at 7:22 p.m. All in favor. Motion carried.

Chairperson

Secretary