

**Public Meeting for Special Use Permits and Zoning Ordinance Amendments**

**Call to Order:** 6:00 PM - Pledge of Allegiance - Invocation

**Roll Call:**

☒ John Gilner  
☒ Jeff Tushoski  
☒ Mike Carey  
☒ George McCumber  
☒ Russell Bauwens  
☒ Pam Minerick

**Audience Attendees:** Aaron Kenealy – Edge Consulting for WE Energies [akenealy@edgeconsult.com](mailto:akenealy@edgeconsult.com)  
Leah Vanzile – WE Energies  
John Leutz  
Lona Fende  
Laurie Netzow

Approve Minutes of the 08/14/2025 meeting: Mike made a motion to approve meeting minutes. George 2nd

**Agenda Approval:**

Russ asked for a change in today's agenda to be modified to include the discussion and approval of zoning amendments from Pam Minerick. Mike approved, George 2<sup>nd</sup>.

1. **Open Public Hearing:** Special use permit request from WE Energies to construct a 140' Communication Pole located at 1361 Way Dam Road, Crystall Falls, MI
  - Meeting Opened: Time: 6:01 PM
  - Zoning Administrator Report – Pam Minerick (Notice in paper, registered letters sent, comments received)
    - Dates of notice posted on 7/28/2025, Russ updated the website with notice on 7/26/2025, Notice printed in Iron County Reporter on 8/6/2025, Registered letters mailed on 7/29/2025 and Pam received 3 cards back with no comments.
2. **Public Comments regarding Way Dam Special Use Permit:** Allowing 3 Minutes per citizen.
  - No comments or questions were asked.
3. **Board Discussion Only:** (Special Use Permit shall conform to Mansfield Township's Zoning Ordinance Section 903).
  - Jeff Asked what the towers are going to be used for. Aaron said it is for hydroelectric dam communications for safety and efficiency.
  - Russ asked if the towers can use be used for other communications and Aarron indicated that they are not.
  - Aaron said it would only be for WE Energies. However, Aaron indicated that municipalities will sometime require additional tenants to the towers for public communication.
  - The towers will allow the workers to communicate with other employees for safety and efficiency. The technology use is better for communications even in bad weather.

4. **Vote:** Approval or Denial, Including basis of decisions:

- Mike made a motion to approve, Russ 2<sup>nd</sup> **Yea**\_\_5\_\_ **Nay**\_\_0\_\_

5. **Close Public Hearing:** Time: 6:11 PM

6. **Open Public Hearing:** Special use permit request from WE Energies to construct a 195' Communication Pole located at Hemlock Hydro, Stream Road, Crystall Falls, MI

- Meeting Opened: Time: 6:12 PM
- Zoning Administrator Report: Pam Minerick (Notice in paper, registered letters sent, comments received) Dates of notice posted on 7/28/2025, Russ updated the notice on the website on 7/26/2025, Notice printed in Iron County Reporter on 8/6/2025, Registered letters mailed on 7/29/2025 and 6 were returned and 1 sent to Edge consulting.

7. Public Comments regarding Hemlock Hydro Special Use Permit: Allowing 3 Minutes per citizen.

No questions were asked by the audience.

8. **Board Discussion Only:** (Special Use Permit shall conform to Mansfield Township's Zoning Ordinance Section 903).

- John asked that the proposed drawings were proposing additional extension and what that would be used for. Aaron indicated for expansion and additional dishes. Could be up to 6 additional dishes.
- John was concerned about drawings that it looked like the trench for cable was cutting through the waterfall by the dam but Aaron indicated that all fiber cable will be aerial and not underground in the location in question.

9. **Vote:** Approval or Denial, Including basis of decisions:

- Motion by Mike; Russ 2<sup>nd</sup> **Yea**\_5\_ **Nay**\_0\_

10. **Close Public Hearing:** Time: 6:20 PM

- Commission Members Signed Forms and Pam Gave them to the representatives of WE Energies.

11. **Zoning Ordinance Proposed Updates Discussions and voting:** Meeting started at 6:30 PM

- 1) Page 8&9. Section 101: DEFINITION; LOT WIDTH; Delete everything under #2, including 2a. Change to read: **Waterfront lots** for the L-1 and RR Zoning Districts to specify a minimum of 300 feet of lake frontage from a straight-line distance between the points where the side lot lines intersect with the high-water mark on the lake and also 300 feet of lot width at the 100-foot setback from the lake. Both measurements must be met.

- Russ has a concern of the 300-foot frontage on how it would affect other zones.
- John pointed out that the Master Plan wants to protect all waterways in all zones.
- Pam is concerned about all other zones as well.
- Any non-conforming lots will need a variance if this is adopted.

- Jeff pointed out that there is only one L-1 zone in the township which is around lake Ellen and little lake Ellen. The RR districts are already established and should not be affected with this change.
- Mike made a suggestion to eliminate the RR district from this definition if it would be a problem to have the board pass it for L-1 district.

- **Mike made a motion to approved; John 2nd all approved accept Russ due to the 300-foot lake frontage requirement.**

2) Page 10. Section 101: DEFINITIONS. Add: **NON-CONFORMING LOT**. A non-conforming lot is a lot of records lawfully existing at the effective date of a zoning ordinance or subsequent amendment thereto, which does not meet the minimum area, width, or other requirements of the district in which it is located.

- **Mike made a motion to approved; George 2nd all approved**

3) Page 11. Section 101: DEFINITIONS: Add: **TOWERS, COMMERCIAL**. A Non-residential tower intended to generate a profit or provide public services

- **Mike made a motion to approved; Jeff 2nd all approved**

4) Page 11. Section 101: DEFINITIONS: Add: **SPOT ZONE**. The process of re-zoning a parcel or parcels of land for a use classification totally different from that of the surrounding area. Spot zoning is not allowed unless extenuating circumstances.

- **Mike made a motion to approved; John 2nd all approved**

5) Page 13: Section 106: Add: No more than one residential/~~principal~~ structure may be permitted on a lot or parcel.

- After some discussion the board decided to take the word of "Principal" out of the description.

- **Mike made a motion to approve as amended; Jeff 2nd all approved**

6) Page 19, Section 209: MULTIPLE USE FOREST. Under (C ) Remove Shipping containers for storage. *(It's listed under (B) Permitted Principal Uses)*

- **Russ made a motion to approve; Jeff 2nd all approved**

7) Page 19, Section 209: MULTIPLE USE FOREST. Under (C) Add **HOME OCCUPATIONS**

- **John made a motion to approve; Russ 2nd all approved**

8) Page 19, Section 209: MULTIPLE USE FOREST. Under (D) Add **COMMERCIAL TOWERS AND COMMERCIAL WINDMILLS**

- **Russ made a motion to approve; Mike 2nd all approved**

9) Page 20, Section 210. COMMERCIAL. Under (D) Special Land Uses, Add: **Commercial Windmills, Commercial Solar Farms, Commercial Towers and Energy Storage Facilities.**

- **Mike made a motion to approve; Russ 2nd all approved**

10) Page 21, Section 300 Under R-1 Front Setback – Change to 30’ instead of 40’

- **Russ made a motion to approved; John 2nd all approved**

11) Page 22, Section 500. Need Min lot width for Commercial

- **Mike made a motion to approved as amended to 500 feet, Russ 2nd all approved**

12) Page 22, Section 301. Last sentence changes to read: **The setback for residential towers and residential windmills must be greater than or equal to the height of such structures.**

- **Mike made a motion to approve; John 2nd all approved**

13) Page 23, Section 502-REVIEW PROCEDURE. 2<sup>ND</sup> Sentence delete the two phrases which say: **“in writing”**. *(I tell the applicant what the setback requirements are so they know in advance. If I do a site inspection and the applicant is not in compliance I tell them immediately.)*

- **Mike made a motion to approve; Russ 2nd all approved**

14) Page 24, Section 600: A) Add: **2<sup>nd</sup> story Additions Not Allowed!**

- John made a motion to approved as amended, Jeff 2nd all approved

15) Page 24, Add Section 601: **NON-CONFORMING LOT.**

**Below is what the Planning Commission decided on the wording for section 601**

**Section 601:**

*Michigan law permits non-conforming lots to continue so long as their use remains legal and otherwise complies with current township zoning ordinances, but encourages their conversion to conforming status when possible.*

**Resolution of Non-Conforming Lot:**

- **Variance Application:** *Property owners may apply for a variance through the Zoning Board of Appeals, demonstrating practical difficulty or unnecessary hardship without adverse impacts to neighboring properties or*

waterfront resources. Applications shall be submitted to the Zoning Administrator for a public hearing with the Zoning Board of Appeals.

- **Mike made a motion to approve; Jeff 2nd all approved**

16) Page 30, Section 903. Add (D) If a previously approved Special Land Use Permit is not used with five years, it becomes null and void. (Fix B&C)

- **Mike made a motion to approved; Russ 2nd all approved**

17) Page 31, Section 905. Remove and replace with the following:

**ZONING ADMINISTRATOR'S REPORT. The Zoning Administrator shall keep an annual report in which he/she shall keep a copy for all the Zoning Applications, all the Variances, all Special Use Permits, or any other public hearings. The Zoning Administrator shall also keep maps with these records. This Annual report shall be open to public inspection. *This annual report will also be store digitally. (Also change Table of Contents to reflect this change)***

- **Mike made a motion to approved as amended, George 2nd all approved**

18) Page 32, Section 907 VARIANCE. Add (E) **A non-use variance attached and continues with the land.**

- **Mike made a motion to approved as amended, Russ 2nd all approved**

19) Page 32, Section 908: Employee of the township cannot serve as a member of the Planning Commission.

- **Mike made a motion to approved as amended, Russ 2nd all approved**

20) Page 36, Section 1002-Amendments. Step #9. Change Iron County Planning Commission to read Iron County Board, in all three sentences. Also delete the second sentence.

- **Mike made a motion to approved as amended, Russ 2nd all approved**

Next step the amendments will be posted in the paper by Pam.

12. **Meeting Adjournment:** Meeting Adjourned at: 8:18

- Jeff made a motion to adjourn, John 2nd.