

AU TRAIN TOWNSHIP PLANNING COMMISSION – REGULAR MEETING

October 19, 2023 – 6:00 PM – AU TRAIN TOWNSHIP HALL

Call to Order / Pledge of Allegiance:

Meeting was called to order at 6:03 PM and the Pledge of Allegiance was recited by all in attendance.

Roll Call:

Members Present: Matt Lang; Jake Miller; William Gramm; Jason Cain

Members Absent: Bill Weisinger

Others Present: Kathleen Lindquist, ZA; Joan Hendrickson; Donna Shields; David Shields; Cynthia Walker; Scott Smith; Peggy Smith; Christine Seidl; Linda Welch; Sheri Knaack Ashton; John Carr; Howard Varvil; Tom Beauchaine; Mary Tiernan; Sary Ramirez; Tom Reimes; Linda Reimes; Lou Kustin; John Stasson; Susan Stasson

Approval of Agenda:

Motion: To approve as written.

Moved: Cain

Supported: Gramm

Motion Carried Unanimously

Approval of Minutes:

Motion: To approve the minutes from the August 17, 2023 Regular Meeting.

Moved: Cain

Supported: Gramm

Motion Carried Unanimously

Approval of Minutes:

Motion: To approve the minutes from the September 12, 2023 Special Meeting.

Moved: Cain

Supported: Gramm

Motion Carried Unanimously

Public Comment – Not related to Public Hearings:

Mary Tiernan asked if PC members will confirm they have visited any sites for CUP considerations.

Lou Kustin asked if a portable sawmill in R1/R2 would be permittable by zoning.

Conditional Use Permit – Megan Martell (Mama Mug, LLC) for short-term rental on parcel 001-020-004-51 at N1130 Old Plank Road, Wetmore MI 49895

Chair Lang opened the hearing at 6:07 PM.

Chair Lang opened public comment at 6:08 PM.

Sherri Ashton, manager of property in question – described the potential rental as a 73 acre property with 2 bedrooms and 1 finished floor. Property has previously been rented as an AirBnB property for 3 years. Property has generated power and gas lights, marketed as a quiet off the grid retreat, and rented from May through October yearly.

Current owner wishes to hold the number of guests to 4 people maximum.

Bill Gramm asked if the noise ordinance was posted, manager stated she would ensure it was in the welcome binder.

Tom Ward submitted a letter in support of the CUP.

Donna Shields owns property on Old Plank Road. She asked how the renters would contact owner/manager and emergency services. The question was answered by Sherri Ashton.

Chair Lang closed public comment at 6:18 PM.

The board members went through Section 802. No further discussion, as all general standards were met.

Chair Lang closed the hearing at 6:24 PM.

Motion: To approve with no additional conditions.

Moved: Gramm

Supported: Cain

Ayes: Gramm, Cain, Lang, Miller

Nays: None

Motion Carried

Public Hearing:

Conditional Use Permit – Cory Tufnell and Tabatha Rudebeck for a resort on parcel 001-255-012-00 at N7136 Perry Road, Au Train MI 49806.

Chair Lang opened the hearing at 6:27 PM.

Cory Tufnell stated he had purchased the property 2 years ago and is applying for a private resort. Portable septic systems will be provided for mobile park model home. Electrical is on site. No water on site, portable water containers will be used. One fire ring only. This property will be for friends and family only, no rentals.

Chair Lang opened public comment at 6:31 PM.

Scott Smith is a Perry Road resident. He handed photo packets of property in question along with a 4 page document in opposition, and went through both for the allotted 3 minutes.

Peggy Smith continued with the presentation in opposition started by Scott Smith.

Linda Welch is a Perry Road property owner. She is concerned with an increase in noise, traffic and dogs in general. She stated that the changes to this property have not made an improvement to the local and adjoining properties.

Christine Seidl is a property owner on Perry Road. She wants privacy on the road and objects to the CUP. She submitted a letter to the ZA and the letter is on file. She stated this CUP request does not meet the standards as residential use. She also spoke of the lack of respect for neighbors.

John Carr stated this property has been an issue for years and said this requested use as is does not conform to the definition of resort per the zoning ordinance.

Donna Shields stated that this situation is similar to one on Old Plank Road. LS/R1 needs 40,000 sq ft to put a dwelling up. She made note of LS/R1 as preservation of existing commercial property.

John Stasson is a property owner on Perry Road. He stated the current owner doesn't have 40,000 sq ft in order to build anything.

Susan Stasson agreed with all in opposition and stated that noise from the property in question can be an issue.

Chair Lang closed public comment at 6:50 PM.

Chair Lang asked Mr. Tufnell if he had any comments to address the statements made during the public comment period. Mr. Tufnell responded saying he did not.

The board discussed this issue and decided the application does not meet the requirements for the definition of a resort, per the zoning ordinance.

Chair Lang closed hearing at 6:58 PM.

Motion: Deny the application as written.

Moved: Gramm

Supported: Miller

Ayes: Gramm, Miller, Lang, Cain

Nays: None

Motion Carried

Chair Lang called a recess at 6:59 PM and resumed the meeting at 7:07 PM.

Correspondence / Announcements:

Kathleen Lindquist informed the planning commission that she had received 3 new CUP requests for an upcoming meeting.

Old Business – continuation and board decision from August 17, 2023 CUP for Mr. David Urso.

Sary Ramirez spoke on behalf of David Urso. Superior Property Services (Cory Cole) will be the manager of the rental property.

She stated there are 2 bedrooms on the top floor and the top floor is the only floor until the egress windows are put in place.

There was significant board discussion. Bill Gramm summarized multiple points from the joint meeting held in early October. Jake Miller stated he had discussed the possibility of capping the number of allowed short term rentals in the township with the township board and they had no interest in that concept.

The board discussed limiting the number of guests allowed at the property in question due to the egress windows not installed being a known issue with the house. The board discussed placing a condition of 6 guests maximum until the egress windows are in place, at which time the owner can request to adjust the maximum number of allowed guests at a future planning meeting.

Motion: Approve CUP for 6 people maximum with satellite map showing egress from rental to trail head posted permanently in the rental.

Moved: Gramm

Supported: Cain

Ayes: Gramm, Cain, Miller

Nays: Lang

Motion Carried

Old Business – Master Plan Update

Chair Lang stated the master plan updates will need to begin again in 2024.

New Business – discuss updates to the Zoning Ordinance from joint Township Board / Planning Commission Meeting held on October 12, 2023

Board members discussed multiple changes coming up to present to the township board.

Next Meeting: Next meeting is a Planning Commission special meeting set for December 14, 2023. Also, the first meeting for 2024 will be on January 18, 2024 to vote in officers and go over master plan changes along with proposed changes to the zoning ordinance.

Public Comment:

Donna Shields disagrees with the thought process of the hotel/motel vs short term rental analogy.

Lou Kustin asked again if a portable sawmill is permitted on R1/R2 or is it not. Also, at what point does a portable sawmill in R1/R2 situated on a cement slab become a non-portable sawmill.

Adjournment:

Motion: To adjourn.

Moved: Cain

Supported: Miller

Motion Carried Unanimously

Chair Lang adjourned the meeting at 7:48 PM

Submitted by Jason Cain, Secretary, Au Train Township Planning Commission