

**Au Train Township, Planning Commission**  
**Regular Meeting - Minutes**

Thursday, April 11, 2024 – 6:00pm

Au Train Township Hall - N7569 Spruce St – Au Train, MI 49806

- **CALL TO ORDER** - The meeting was called to order by Chairperson Cain at 6:00pm, followed by the Pledge of Allegiance.
  
- **ROLL CALL** – Members present: Chair Jason Cain, Vice Chair, Bill Weisinger, Secretary, Donna Shields, Member Billy Gramm, Township Board Liasson Jake Miller. Absent: None  
  
Others present: Township Supervisor Michelle Doucette, Township Zoning Administrator Kathleen Lindquist, CUPPAD Community Planner Ryan Carrig
  
- **APPROVAL OF AGENDA** – Motion by Shields, second by Cain to approve agenda as presented. Motion Carried
  
- **APPROVAL OF MINUTES** – Motion by Weisinger, second by Cain to approve minutes of the March 13, 2024 Planning Commission special meeting as presented. Motion Carried. Motion by Miller, second by Weisinger to approve the minutes of the March 28<sup>th</sup>, 2024 Planning Commission Special Meeting as presented. Motion carried.
  
- **AGENDA CHANGE** – Motion by Shields, second by Cain to amend the agenda under New business to add Zoning Administrator Report. Motion carried.
  
- **PUBLIC COMMENT** – None
  
- **SPECIAL PRESENTATION:** Ryan Carrig, Community Planner for the Central Upper Peninsula Planning and Development Regional Commission (CUPPAD) presented to the Commission. CUPPAD’s services have been hired by the Au Train Township Board to help the Planning Commission update our Township’s Master Plan. Mr. Carrig plans to send out the required Notice of Intent to neighboring local governments, commissions/committees and utility and transportation agencies/companies as required by law: (MCL 125.3839) on April 13, 2024 and will begin preparing a survey which he will present to the Commission at a future meeting. Purpose of the survey would be to gather public comment in regard to the Master Plan. This process of research and recommendation to update our Master Plan would most likely take 12-18 months, but could possibly take as much as 24 months to complete. The Planning Commission will be engaging more with Mr. Carrig at future meetings as we all work through this process.
  
- **BYLAWS – AGENDA RESPONSIBILITIES** – Motion by Secretary Shields, second by Weisinger to amend the Au Train Township Planning Commission Bylaws Section 2: Meetings, Item E. Agenda – to read as follows:  
  
*“The secretary shall be responsible for preparing a tentative agenda for Planning Commission meetings with the approval of the chairperson. The agenda may be modified by action of the Commission.”*  
  
Motion carried. The Bylaws documents will be updated and brought for final approval at the next Commission meeting.

- **CONFLICT OF INTEREST – REVIEW** Bylaws of the Commission, Section 5: Conflict of Interest, was reviewed by the Commission for better understanding.

Note: Many of the following items are in response to the Au Train Township Board’s requests from the October 12, 2023 joint meeting of the Township Board and Planning Commission to review said items. Many of the items require deeper review and are noted as such.

- **REVIEW OF CUP APPLICATION – NEW NOTIFICATION FORM** The Commission reviewed the CUP Application form and noted a few changes to be made. Secretary Shields presented a draft of a new notification form which would split off the notification to the applicant from the application.

Motion by Shields to eliminate the legal description from the CUP application and to revise the authorization paragraph to allow access not only to the Zoning Administrator but also to members of the Township Planning Commission to inspect the property. After a brief discussion, Shields removed the motion from the floor as it was determined in order to make the change, the ZO would have to be amended as well. Further work to be done on this item.

- **REVIEW OF APPEAL FORM** – Secretary Shields brought the “*Petition for an Administrative Appeal Au Train Township Zoning Board of Appeals*” form to the table for discussion. She noted that in the *Decision* paragraph it reads: “.....*The Zoning Board of Appeals may reverse an order of an administrative official or the Planning Commission* .....” She noted that Michigan Law grants the authority to the ZBA to hear appeals of decisions made by the Planning Commission for Special land uses (CUPs) but only if it is stated in the local Zoning Ordinance (2006 PA 110, MCL 125.3603.1.) Shields questioned since it was not in our Ordinance to allow such, should it be? After much discussion, it was decided that it was not in our best interest at this time to pursue this issue due to consistent difficulties and lack of interest with filling openings on the Zoning Board of Appeals. Should this change in the future, it can be readdressed. Chair Cain will refer the appeal form to Township Clerk Johnson for revision to remove reference to the Planning Commission in the decision paragraph.
- **REVIEW OF STEPS FOR REZONING** – The *Checklist of Steps for Rezoning of Property* (MTA Publication *The 2006 Michigan Zoning Enabling Act*) along with the steps in the local Zoning Ordinance *Section 1203 – Procedure* were reviewed.
- **CONTRACTOR’S YARD AND SHOP – ZBA RECOMMENDED DEFINITION** – At their organizational meeting on April 10, 2024, the ZBA felt that perhaps the definition needed is actually for two separate things as there could be occasions where a shop might be permitted but not a yard. Because our current zoning ordinance has the term for the use grouped as a pair (Contractor’s shop and yard), the following definition was offered:

*“Primary and/or accessory structure used for the housing and/or operating of machinery, the provision of services, the fabrication of building-related products, and interior storage and its associated lot or portion thereof used for the storage of construction or excavation equipment, other vehicles, tools, building materials, and other equipment used in or associated with the building or construction industry.”*

The Planning Commission will take the advice of the ZBA into consideration to split the two uses. Further discussion to be had in the future. In the interim, the definition as offered by the ZBA shall be used for the intent of said use.

- **-BREAK-** Chair Cain called a 5 minute break from 7:41pm to 7:46pm

- **NEW BUSINESS** – Moved ahead on the agenda at the request of the Zoning Administrator Kathleen Lindquist who reported to the Commission on her March activity. No new CUP applications have been submitted to date for April.
- **REVIEW OF SECTION 802 (a), (e), and (f) --**
  - (a) – **General Standards** After review and discussion on section (a) it was agreed that a full review of the standards should be made in comparison with the MZEA for compliance. Tabled for further discussion at a future meeting.
  - (e) – **Shipping Containers** Secretary Shields felt this was redundant as all these points are listed under *Article IV – General Regulations in Section 408*. The Commission recognizes that with changing times, their uses have evolved and this item needs further review. Tabled for further discussion at a future meeting.
  - (f) – **Short-term Rentals** – After some discussion it was agreed that a full review of this section along with *Article IV Section 421 – Short-term Rentals* was needed. Tabled for further discussion at a future meeting.
- **DIFFERENTIATE BETWEEN RESORTS, CAMPGROUNDS, RECREATIONAL STRUCTURES** - Tabled until 4/18/24 meeting.
- **REVIEW DEFINITION OF RECREATIONAL VEHICLE** - Tabled until 4/18/24 meeting.
- **FAMILY CAMPGROUNDS?** -- Tabled until 4/18/24 meeting.
- **WATER SEWER REGULATION FOR FAMILY CAMPGROUNDS?** -- Tabled until 4/18/24 meeting.
- **PEOPLE LIVING IN TRAVEL TRAILERS** -- Tabled until 4/18/24 meeting.
- **PROCESS FOR ZONING VIOLATIONS – ZONING ADMINISTRATOR** -- Tabled until 4/18/24 meeting.
- **WATER/SEWER TO BE APPROVED BEFORE CONSTRUCTION COMMENCES?** – It is the Commission’s belief that this is the County’s responsibility. The Alger County website states such requirement must be met before any building permits will be issued.
- **ZONING APPLICATIONS MUST MEET ALL STATE & FEDERAL BUILDING CODE REQUIREMENTS OR ZONING PERMIT WILL BE PULLED...PART OF THE VIOLATIONS PROCESS? STATE ON ZONING APPLICATION?** – It is the Commission’s belief that this is the County’s responsibility. If code isn’t met, the building inspector is responsible for issuing violations and bringing into compliance.
- **PUTTING A CAP ON VACATION RENTALS (STR) IN CERTAIN ZONING DISTRICTS?** – The commission felt that caps on STRs are not feasible in our township by reason of staffing. Placing a cap on STRs would require a Police Power ordinance to be established for such. Under this Police Power ordinance, careful monitoring would be required as to current status of the STR and STR waiting list. A Police Power ordinance must be enforced equally. CUPs would no longer be able to stay with the parcel if sold, allowing turnover and opportunities for new STRs.
- **PUBLIC COMMENT** – Public comment was heard from Au Train Township Michelle Doucette stating she felt the Planning Commission was doing a good job.
- **BOARD COMMENT** – Chair Cain requests that Board Comments be on agenda after both public comment sessions.
- **NEXT MEETING** – April 18, 2024 at 6pm
- **ADJOURN** – Motion by Gramm, second by Weisinger to adjourn at 8:49pm. Motion Carried.

Minutes submitted by: Donna Shields, Secretary to the Au Train Township Planning Commission.

Approved:4/18/2024

Signed:   
Donna Shields