

**Au Train Township, Planning Commission  
Special Meeting**

Wednesday, April 23, 2025 – 6:00pm

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

**MINUTES**

- **CALL TO ORDER** - The meeting was called to order by Chair LaCombe at 6:00pm, followed by the Pledge of Allegiance.
- **ROLL CALL** – Members present: Chair Scott LaCombe, Secretary Scott Smith, Member Matt Lang, Member Jesse Cadwell, Township Board Liaison John Carr

Others present: Township Supervisor Tom Balmes, Zoning Administrator Donna Shields, Peg Smith, D Newton, Wyatt Seaberg, Jeff Cromell

- **APPROVAL OF AGENDA** – Motion by Lang, second by Smith to approve agenda as presented. Motion Carried 5-0
- **APPROVAL OF MINUTES** – Motion by Carr, second by Lang to approve minutes of the April 17, 2025 Planning Commission Meeting. Motion Carried 5-0
- **PUBLIC COMMENT** – None
- **BOARD COMMENTS** – None
- **PUBLIC HEARINGS**

- a **Wyatt Seaberg requesting Conditional Use Permit for accessory buildings exceeding 3500 Sq ft at N7840 Ridge Rd, Munising, Parcel ID# 001-325-020-00 District: Town Development**

**Chair LaCombe opened the hearing at 6:05 pm.**

Opening statements were made by Zoning Administrator Shields which included a summary of her staff report that had been shared with the commission via e-mail prior to the hearing. Mr. Seaberg has filed for a Conditional Use Permit for the purpose of adding a 12 x 60' lean-to style enclosed addition to his existing 40 x 60' Shop. Per the Zoning Ordinance, Section 408 item #4, an accessory building, or combination of accessory buildings exceeding 3,500 sq ft can only be permitted by CUP. Mr. Seaberg's parcel is approximately 32+ acres in size and the addition would allow him to be able to store more of his equipment out of the weather and under cover.

Mr. Seaberg added that he planned on using the same style as the existing structure, this would just be an extension of the roof line and utilize the same color/siding as the existing structure.

**Chair LaCombe opened the public comment period at 6:08 pm**

There were no public comments received, either via mail or in person.

**Chair LaCombe closed the public comment period at 6:08 pm**

The Commission reviewed the General Standards from Section 802A of the Au Train Township Zoning Ordinance. See *Statement of Facts and Findings Attachment A*.

Motion by Carr second by Lang to approve the accessory use 12 x 60 lean-to addition to existing shop for Wyatt Seaberg at N7840 Ridge Rd, Munising, MI Parcel ID# 001-325-020-00 The application is found to meet the requirements of Section 802A of the Au Train Township zoning ordinance.

Roll call – Carr: yes, Lang: yes, Smith: yes, Cadwell: yes, LaCombe: yes  
Motion carried 5-0

**Chair LaCombe closed the public hearing at 6:23 pm**

- b Duane Newton requesting Conditional Use Permit for Short-term Rental at N7566 Spruce St, Au Train, Parcel ID# 001-362-009-00 District: Town Development**

**Chair LaCombe opened the hearing at 6:23 pm.**

Opening statements were made by Zoning Administrator Shields which included a summary of her staff report that had been shared with the commission via e-mail prior to the hearing. Mr. Newton has filed for a Conditional Use Permit for a short-term rental of a 3-bedroom mobile home that sits on two city lots, 100 x 150' parcel. It is a corner lot that allows for adequate parking. This is a mixed-use district with adjacent parcels either residential or local government. The surrounding area includes Resorts, Short-term rentals, residential, grocery/gas, kayak rentals.

**Chair LaCombe opened the public comment period at 6:27 pm**

Public comment was received from Cheryl Coty, resident in the adjacent Gatiss property. She voiced that she would rather see a long-term renter in that property. She stated that he should have to put up a fence surrounding the property, at least 6 ft high. She stated that since this was all residential at one time, the local children use a path that cuts through the block behind that lot. She also stated there are school bus drop-offs here in front of the Township's Fire Hall.

Public comment was next heard from John Kroupa, adjacent neighbor to the north. He stated he would like to see a fence between his property and the rental so he wouldn't have little kids climbing on his equipment that he has parked there or have them playing in his woodshed.

No other public comment was received in person, though a letter in support of the rental was received from Sary Ramirez of Rysa Properties LLC, owner of another Short-term rental property on the same block.

**Chair LaCombe closed the public comment period at 6:31 pm**

The commissioners turned to Mr. Newton with some questions including: when had Mr. Newton

purchased the property; how much work he had completed on renovations; was the dwelling vacant and for how long before he purchased it; was the septic inspected and sufficient capacity for a rental of 8; was there any livable/dwelling space in the barn style garage; what was the structure attached to the mobile home. Mr. Newton informed the commission that he purchased the parcel in November, 2024 and had been working on renovations inside as time permitted as he doesn't live locally. The addition to the mobile home is considered a bedroom, and there are two additional bedrooms inside the main mobile home, one each end. The home had been vacant for perhaps a year, and he had gathered information on the septic from the Health Department which he could provide if the commission needed to know more beyond what was noted on the site plan.

The Commission reviewed the General Standards from Section 802A of the Au Train Township Zoning Ordinance. See *Statement of Facts and Findings Attachment B*.

Motion by Smith, second by Cadwell to deny the use of short-term rental for Duane Newton at N7566 Spruce St, Au Train, MI Parcel ID# 001-362-009-00 because the requested use fails to comply with standard #8, Section 802A of the Au Train Township Zoning Ordinance.

Roll call – Smith: yes, Cadwell: yes, Carr: yes, Lang: no, LaCombe: no  
Motion carried 3-2

**Chair LaCombe closed the public hearing at 7:45 pm**

- **NEW BUSINESS** – Election of Vice Chair  
Nomination was made by Lang for Jesse Cadwell as Vice Chair. No other nominations received.  
Roll call vote: Lang: yes, LaCombe: yes, Cadwell: abstain, Smith: yes, Carr: yes  
Jesse Cadwell elected Vice Chair by unanimous vote
- **CORRESPONDENCE/ANNOUNCEMENTS** – None
- **PUBLIC COMMENT** – Public comments were heard from Wyatt Seaberg, Jeff Cromell, Donna Shields, and Peg Smith
- **BOARD COMMENT** -- None
- **NEXT MEETING** – May 14, 2025, Kolbus & Risch hearings are scheduled.
- **ADJOURN** – Motion by Carr, second by LaCombe to adjourn at 8:05 pm. Motion Carried 5-0

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

Approved: May 14, 2025

Signed: \_\_\_\_\_ on file \_\_\_\_\_  
Donna Shields – Recording Secretary

Signed: \_\_\_\_\_ on file \_\_\_\_\_  
Scott Smith - Secretary

## STATEMENT OF FINDINGS AND CONCLUSIONS - CUP HEARING

Date of Hearing: April 23, 2025	Request: Accessory Use – 12x60 addition
Applicant: Wyatt Seaberg	Parcel ID#: 001-325-020-00
Address: N7840 Ridge Rd, Munising, MI 49862	District: TD

Section 802 – Basis of Determination / General Standards

- A. The Planning Commission shall review the particular circumstances of the conditional use request under consideration in terms of the following standards and shall approve a conditional use only upon a finding of compliance with each of the following standards as well as applicable standards established elsewhere in this Ordinance.

**1. The conditional use shall be designed, constructed, operated, and maintained in a manner harmonious with the character of adjacent property and surrounding area.**

Discussion: Is an addition to an existing structure. Will be finished in same color/siding as shop to match.

Roll Call: Carr: yes, Cadwell: yes, Lang: yes, Smith: yes, LaCombe: yes

**2. The conditional use shall not change the essential character of the surrounding area.**

Discussion: Should blend in with existing structure and use.

Roll Call: Smith: yes, LaCombe: yes, Lang: yes, Cadwell: yes, Carr: yes

**3. The conditional use shall not interfere with the general enjoyment of adjacent property.**

Discussion: Mr. Seaberg owns the adjacent properties and use should not cause any disturbances.

Roll Call: LaCombe: yes, Smith: yes, Carr: yes, Lang: yes, Cadwell: yes

**4. The conditional use shall represent an improvement to the property under consideration and the surrounding area in general.**

Discussion: The ability to store more of his equipment inside rather than out is an improvement.

Roll Call: Lang: yes, Carr: yes, Cadwell: yes, Smith: yes, LaCombe: yes

5. **The conditional use shall not be hazardous to adjacent property, or involve uses, activities, materials, or excessive production of traffic, noise, smoke, odor, fumes, or glare.**

Discussion: There should be no concerns as it's just an addition to a structure to be used for storage.

Roll Call: Smith: yes, LaCombe: yes, Carr: yes, Cadwell: yes, Lang: yes

6. **The conditional use shall be adequately served by essential public facilities and services, or it shall be demonstrated that the person responsible for the proposed conditional use shall be able to adequately provide for the services and facilities deemed essential to the conditional use under consideration.**

Discussion: No more burden than existing use is expected.

Roll Call: Cadwell: yes, Carr: yes, Smith: yes, LaCombe: yea, Lang: yes

7. **The conditional use shall not place demands on public services and facilities in excess of current or immediately planned capacity.**

Discussion: No more burden than existing use is expected.

Roll Call: LaCombe: yes, Cadwell: yes, Smith: yes, Lang: yes, Carr: yes

8. **The conditional use shall be consistent with the intent and purpose of this Ordinance, and the objectives of any adopted county or township development plan.**

Discussion: Request complies with ordinance.

Roll Call: Smith: yes, LaCombe: yes, Carr: yes, Cadwell: yes, Lang: yes

☒ **Approved**      ☐ **With Conditions**

Motion: Motion by Carr second by Lang to approve the accessory use 12 x 60 lean-to addition to existing shop for Wyatt Seaberg at N7840 Ridge Rd, Munising, MI Parcel ID# 001-325-020-00 The application is found to meet the requirements of Section 802A of the Au Train Township zoning ordinance.

☐ **Denied**

Motion:

Motion Roll Call: Carr: yes, Lang: yes, Smith: yes, Cadwell: yes, LaCombe: yes

## STATEMENT OF FINDINGS AND CONCLUSIONS - CUP HEARING

Date of Hearing: April 23, 2025	Request: Short-term Rental
Applicant: Duane Newton	Parcel ID#: 001-362-009-00
Address: N7566 Spruce St, Au Train, MI 49806	District: TD

### Section 802 – Basis of Determination / General Standards

- A. The Planning Commission shall review the particular circumstances of the conditional use request under consideration in terms of the following standards and shall approve a conditional use only upon a finding of compliance with each of the following standards as well as applicable standards established elsewhere in this Ordinance.

**1. The conditional use shall be designed, constructed, operated, and maintained in a manner harmonious with the character of adjacent property and surrounding area.**

Discussion: Lang & LaCombe felt it is harmonious, while Smith did not. Applicant was asked how many he planned on renting to: 8 total per the formula set in standards. Applicant was asked where he planned on going with this rental. He stated that he had hoped to be allowed the permit so it would be attached to the property as it would add value. Also, with talk of a moratorium, he wanted to have the permit to rent when he was ready to.

Roll Call: Cadwell: yes, Carr: yes, Lang: yes, Smith: no, LaCombe: yes

**2. The conditional use shall not change the essential character of the surrounding area.**

Discussion: Carr felt that if we keep stacking these short-term rentals up that eventually it does change the character of the surrounding area, Smith agreed that it will eventually become like Mackinac City where there's nothing left. LaCombe stated that there's no formula in place to determine density, so how can we know how many is too many? Lang thought it fit in with the intent of Town Development which is a mix of uses.

Roll Call: Smith: no, Lang: yes, Cadwell: yes, Carr: no, LaCombe: yes

**3. The conditional use shall not interfere with the general enjoyment of adjacent property.**

Discussion: Cadwell commented that not knowing your neighbors affects the enjoyment. If you know the people and get along, great. If you don't get along at least you know to stay away from them. With STRs you never get to know them and that puts an added burden on the neighbors. Discussion of adding a fence per the public comments would help segregate the use, though Carr thought it wouldn't make any difference.

Roll Call: Carr: no, Cadwell: no, Lang: no, Smith: no, LaCombe: yes

**4. The conditional use shall represent an improvement to the property under consideration and the surrounding area in general.**

Discussion: It was felt that the renovations and putting it back to a useful property rather than vacant home would be an improvement. If it's not fixed up it wouldn't be rented.

Roll Call: LaCombe: yes, Carr: yes, Cadwell: yes, Lang: yes, Smith: yes

**5. The conditional use shall not be hazardous to adjacent property, or involve uses, activities, materials, or excessive production of traffic, noise, smoke, odor, fumes, or glare.**

Discussion: This use should comply with this standard and there are provisions for parking space.

Roll Call: Lang: yes, Smith: yes, LaCome: yes, Cadwell: yes, Carr: yes

**6. The conditional use shall be adequately served by essential public facilities and services, or it shall be demonstrated that the person responsible for the proposed conditional use shall be able to adequately provide for the services and facilities deemed essential to the conditional use under consideration.**

Discussion: Lang noted that it should be served by all local services as the other residences. Fire Dept is across the street.

Roll Call: Cadwell: yes, Smith: yes, LaCombe: yes, Lang: yes, Carr: yes

**7. The conditional use shall not place demands on public services and facilities in excess of current or immediately planned capacity.**

Discussion: Again, it's served by all local services same as other residents. The use should not place any more demand than long term resident.

Roll Call: Lang: yes, Smith: yes, Cadwell: yes, Carr: yes, LaCombe: yes

**8. The conditional use shall be consistent with the intent and purpose of this Ordinance, and the objectives of any adopted county or township development plan.**

Discussion: Carr commented that he feels that they are changing the characteristics of the neighborhood with all the short-term rentals. Smith commented on the intent of Town development being a mix of residential and commercial, but with all the short-term rentals, there's no residential to point to as he feels that the short-term rentals are commercial by nature.

Roll Call: Carr: no, Cadwell: no, Lang: yes, Smith: no, LaCombe: yes

**X Denied**

Motion: Motion by Smith, second by Cadwell to deny the use of short-term rental for Duane Newton at N7566 Spruce St, Au Train, MI Parcel ID# 001-362-009-00 because the requested use fails to comply with standard #8, Section 802A of the Au Train Township Zoning Ordinance.

Roll call – Smith: yes, Cadwell: yes, Carr: yes, Lang: no, LaCombe: no Motion Carried 3-2