

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

Tuesday, March 31, 2026 – 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, Vice Chair Jesse Cadwell, Secretary Alexandra Free, Member John Carr, Member Wyatt Seaberg
Others present: Zoning Administrator Donna Shields, Ryan Carrig of CUPPAD
- **APPROVAL OF AGENDA** – Under Old Business, an addition of “Schedule hearings” was made, and item “12a” added “Zoning Administrator comments.”
Motion by Seaberg, second by Cadwell to approve agenda as amended. Motion Carried
- **APPROVAL OF MINUTES** –Motion by Carr, second by Cadwell to approve minutes as presented for the March 19, 2026 Planning Commission Meeting. Motion Carried
- **PUBLIC COMMENT** – None
- **BOARD COMMENTS** – None
- **ZONING ADMINISTRATOR UPDATES** – ZA Shields commented that she had heard from Josh Kirshman who had presented at the March 19, 2026 meeting in regard to a potential PUD on Perch Lake Road. Mr. Kirshman was calling to notify us that he would not be pursuing an amendment to the ordinance for this use after all.

ZA Shields briefed the Commission on a recent webinar she attended that provided some information on several House Bills that are pending that pertain to zoning.

- **OLD BUSINESS** –
 - a **Continuation of review of Zoning Ordinance Edits** - The Commission continued their review of the zoning ordinance and potential amendments. Discussion of permitted principal, conditional, and accessory uses in districts Residential one/two and Rural Residential one/two was covered. The disallowance of short-term rentals in RR1/2 was reaffirmed with a vote of 3 ayes, 2 nays.

A discussion revolving around shipping containers was also had. It was agreed that shipping containers should be removed from being a conditionally permitted use. Their use shall be considered a permitted accessory use though require adherence to the regulations of Article IV, Section 408 B. The regulations of 408 B were also discussed and it was agreed by a vote of 3 ayes, 2 nays to remove the requirement of 408 B (d) and allow containers to be seen from a public right-of-way, though their appearance shall be made complimentary to the principal

structure.

- **NEW BUSINESS –**

- a **Schedule Upcoming Hearings** – CUP hearing for short-term rental applicant Paul Villeneuve, N8234 Reindeer Run, LS/R2 was discussed. While zoning, being a public regulation of land use, and covenants, being a private regulation of land use, it is recognized that covenants in themselves cannot be a reason for a zoning denial of a use. However, the court ruling of a prior case (Seitz v Sliter) for these same HOA covenants disallowed this use for another landowner in this same subdivision. The Commission deemed that because there is now case law on these particular HOA covenants, the applicant was in fact asking the Township to permit an unlawful use.

Motion by Seaberg, second by Carr to reject the application based on the decision of the Alger County Circuit Court on September 1, 2017 File No, 16-7679-CZ that declared a short-term rental is not an allowable use per the HOA “Sunrise Bay West” covenants. One cannot apply for an unlawful use.

Roll call Vote: Seaberg: Yes, Carr: Yes, Cadwell: Yes, LaCombe: Yes, Free: Yes. Motion passed 5-0

The hearing for Zimmanck – Use change, N4046 Buckhorn Rd was discussed. Since there isn’t another hearing to go with it at this point, the commission decided to tentatively schedule this for their next regular meeting June 11, 2026.

- **CORRESPONDENCE/ANNOUNCEMENTS** – Multiple e-mails were received from Mr. Newton and forwarded to the Commissioners for their review prior to the meeting.
- **PUBLIC COMMENT** – None
- **ZONING ADMIN COMMENTS** - None
- **BOARD COMMENT** -- None
- **NEXT MEETING** – Next scheduled meeting is Thursday, April 9, 2026 at 6:00pm where the Commission shall hold two public hearings, each requesting a CUP for a short-term rental use. (Kolbus & Yunk) The Commission also set an additional meeting for a work session on the zoning ordinance amendments for Tuesday, April 21, 2026 at 6pm.
- **ADJOURN** – Motion by LaCombe, second by Seaberg to adjourn at 8:47pm. Motion Carried

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

Approved: April 9, 2026

Signed: _____ on file _____
Donna Shields – Recording Secretary

Signed: _____ on file _____
Alexandra Free - Secretary