

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

Thursday, April 9, 2026 – 6:00pm

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

MINUTES

- a. **CALL TO ORDER** – The meeting was called to order by Chair LaCombe at 6:00pm, followed by the Pledge of Allegiance.

- b. **ROLL CALL** – Members present: Chair Scott LaCombe, Vice Chair Jesse Cadwell, Secretary Alexandra Free, Member Wyatt Seaberg, Member John Carr

Others present: Zoning Administrator Donna Shields, Jason Yunk, John L’Huillier, Phil Crab, Jon Crab, John Palmer, Laura Palmer, Danielle & Kevin Kolbus

- c. **APPROVAL OF AGENDA** – Motion by Carr, second by Seaberg to approve agenda as presented. Motion Carried

- d. **APPROVAL OF MINUTES** – Motion by Cadwell, second by Carr to approve minutes of the March 31, 2026 Planning Commission Meeting. Motion Carried

- e. **ZONING ADMINISTRATOR UPDATES** – ZA Shields commented on the latest zoning activity. Including CUP applications from Kroupa-Kulik, and Cole (Newton)

- f. **PUBLIC COMMENT** – None

- g. **BOARD COMMENTS** – None

- h. **PUBLIC HEARINGS** –

- a **Kevin & Danielle Kolbus requesting Conditional Use Permit for Short-term rental at E7811 Franks Trail, Christmas, Parcel ID# 001-179-016-10 & 001-179-001-00**

The applicants were not present, but determined to be enroute. Chair LaCombe decided to delay the start of the Kolbus hearing and proceed with the Yunk Hearing.

- b **Elletta & Jason Yunk requesting a Conditional Use Permit for a Short-term rental at 2649 Cooks Trail, Munising Parcel ID# 001-570-013-00**

Chair LaCombe opened the hearing at 6:07 pm and called upon the Zoning Administrator to present the staff report.

ZA Shields presented a summary of her staff report. The report had been shared with the commissioners via email prior to the hearing.

Chair LaCombe opened the floor to the applicant to present their request.

Jason Yunk presented his request stating their motivation for wanting to use this property as a rental was to help alleviate financial burden, also a desire to prevent the property from sitting vacant. He felt their property was underutilized due to work and family life. He stated they intended to rent on a very limited basis, not a full-on business venture. The property would be marketed to couples or small families for a quiet getaway and that he and his wife had a commitment to going "above and beyond" any standards and being conscious of neighbors. He stated that he had communicated with immediate neighbors, who were supportive. He stated they planned to manage the property themselves with help, if needed, from the Ebbesen's who run a resort on Aleck Lake.

Chair LaCombe opened the public comment period

Public comment was heard from John L'Huillier who stated he has been on Cooks Lake for 50 years and it is a quiet community. He does not want rentals on Cooks Lake. He fears the allowance of one would open the floodgates to others. He stated he has personally invested \$2000 in gravel for the roads in the past year and has concerns about increased traffic and strangers. Also concerns about emergency vehicle access.

Phil Crab also gave public comment voicing concerns over renters creating bonfires in the firepit that's built into the deck. Forest fires are always a concern and there was a fire nearby in the past.

John Palmer lives 2 houses down and is opposed to the short-term rental. He once had a place on nearby Aleck Lake, but there was so much noise from the rentals, he moved to Cooks Lake for the quiet. John also submitted written comment through e-mail prior to the hearing which mirrored concerns about access, narrow roads, litter, and noise. Cooks Lake is a tight knit community, and we like to look out after other's properties when they aren't here, but with rentals in the area we don't know who is there anymore.

Robert & Elizabeth Swanson submitted written comments. They own the place next door and are opposed to a rental. They state they believe the Cooks Lake Association by laws do not allow rentals. They use their property recreationally, so they aren't always there. Concerns about the firepit built into the deck being a hazard as well as excess trash attracting wildlife in.

Written comments were also received from Jim Middlebrook on behalf of the Tom's Road Association. The Association takes care of 4 miles of private roads around Tom's, Aleck, and the northern portion of Cooks Lake. Landowners contribute semi-annually to a fund and the maintenance is done by volunteering landowners of the association. With the addition of some rentals in the area, they have lost volunteers who are willing to provide labor or equipment. The Association is concerned with traffic impacting the road and dumpster overflow which is already above capacity at times.

A letter was also received from Tim & Betty Acocks who were concerned about the community that would change each weekend with the changeover of people from the rentals.

Chair LaCombe closed the public comment period and hearing at 6:29 pm

After much discussion regarding the narrowness of Cooks Trail, the lack of rentals on Cooks Lake

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

Motion Carr, second by Cadwell, to deny the conditional use for a short-term rental for Elletta & Jason Yunk located at 2649 Cooks Trail, Munising Parcel ID# 001-570-013-00 because the applicant failed to meet standard #3 & #4 of the Au Train Township Zoning Ordinance, Section 802A - Basis of Determination General Standards.

Roll Call Vote: Carr: Yes, Cadwell: Yes, Seaberg: No, LaCombe: Yes, Free: Yes Motion carried 4-1

Chair LaCombe declared a short recess at 7:02 pm and reconvened at 7:10 pm

- a **Kevin & Danielle Kolbus requesting Conditional Use Permit for Short-term rental at E7811 Franks Trail, Christmas, Parcel ID# 001-179-016-10 & 001-179-001-00**

Chair LaCombe opened the hearing at 7:10 pm and called upon the Zoning Administrator to present the staff report.

ZA Shields presented a summary of her staff report. The report had been shared with the commissioners via email prior to the hearing.

Chair LaCombe opened the floor to the applicant to present their request.

Kevin Kolbus stated that they recently purchased the property from Bob Gibbons and wish to add it to their group of short-term rentals in Christmas. He stated they are preparing to scale back on some rentals in the residential areas, keeping their rentals all in the vicinity of their home in Town Development district.

Chair LaCombe opened the public comment period

There were no public comments to be heard either in person or received prior in writing.

Chair LaCombe closed the public comment period and hearing at 7:21 pm

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

Motion by Seaberg, Second by Free, to approve the use for a short-term rental for Kevin & Danielle Kolbus located at E7811 Frank's Trail, Christmas, Parcel ID# 001-179-016-10 The application is found to meet all requirements of the Au Train Township Zoning Ordinance, Section 802A - Basis of Determination General Standards.

Roll Call Vote: Seaberg: Yes, Free: Yes, Cadwell: Yes, Carr: Yes, LaCombe: Yes. Motion carried 5-0

Chair LaCombe called a brief recess at 7:32 pm and reconvened at 7:36 pm

b. **OLD BUSINESS** – None

c. **NEW BUSINESS** –

- a. **Schedule Hearings** – An application was received for a conditional use of short-term rental for N7566 Spruce St, Au Train, Parcel ID 001-362-009-00, owned by Duane Newton. Applicant: Cory Cole. Since Mr. Newton had previously applied for this same use and been denied at a public hearing held on April 23, 2025, the commission referred to the Zoning Ordinance (Amendment 10-30-25) Section 802 (I) which states:

I. No application for a Conditional Use Permit which has been denied wholly or in part by the Planning Commission shall be resubmitted for a period of one year from the date of the denial, except on appeal or on grounds of newly discovered evidence or proof of changed conditions found to be sufficient to justify reconsideration.

The landowner, Mr. Newton had been in contact with the ZA recently and was made well aware that resubmission of this request would only be accepted after the one-year mark unless one could provide newly discovered evidence or conditions that could justify reconsideration. The applicant provided no such supporting evidence with this application. The Planning Commission felt the wording of the ordinance was clear in that another application should not even be submitted until one year has passed since the denial. They felt it should be rejected and returned to the applicant who can apply again after the one year waiting period.

Motion by Carr, second by Cadwell to reject the application for a conditional use permit for short-term rental for parcel 001-362-009-00 N7566 Spruce St, Au Train because it has been less than one year since denial of the last application for this same request.

Roll call vote: Carr: Yes, Cadwell: Yes, LaCombe: Yes, Seaberg: Yes, Free: Yes Motion carried 5-0

d. **CORRESPONDENCE/ANNOUNCEMENTS** – None

e. **PUBLIC COMMENT** – None

f. **ZONING ADMINISTRATOR COMMENT** – None

g. **BOARD COMMENT** – Comments were heard from Wyatt Seaberg regarding private roads.

h. **NEXT MEETING** – Next meeting is set for April 21, 2026 at 6pm for a work session on the Zoning Ordinance edits.

i. **ADJOURN** – Motion by Carr, second by Free, to adjourn at 7:51 pm. Motion Carried

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

Approved: April 21, 2026

Signed: _____ on file _____
Donna Shields – Recording Secretary

Signed: _____ on file _____
Alexandra Free - Secretary

STATEMENT OF FINDINGS AND CONCLUSIONS
Conditional Use Hearing

Prepared by: D Shields, Recording Secretary

Parcel #: 001-179-016-10

Date of Hearing: April 9, 2026

Applicant: Kevin & Danielle Kolbus

Owner: Gingerbread Getaway LLC

Address: E7811 Frank's Trail, Christmas

District: TD

Request: Short-term Rental

FINDINGS OF FACT:

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 not interfere with the public health, safety, and welfare of adjacent property or Au Train Township.**

Discussion: There is direct access to State Hwy M28 via driveway. Adjacent parcels are owned by applicants

Roll Call Vote: LaCombe: Yes, Seaberg: Yes, Cadwell: Yes, Carr: Yes, Free: Yes

- 2. The conditional use shall be designed, constructed, operated, and maintained in a manner compatible with adjacent uses of land and the natural environment.**

Discussion: The surrounding area is either other short-term rentals owned and operated by applicant, vacant land, or commercial.

Roll Call Vote: Seaberg: Yes, LaCombe: Yes, Carr: Yes, Free: Yes, Cadwell: Yes

- 3. The conditional use shall be adequately served by, and not place demand on, essential public facilities and services in excess of current or planned capacity, or it shall be demonstrated that the person responsible for the proposed conditional use shall be able to adequately provide for the facilities and services deemed essential to the conditional use under consideration.**

Discussion: No more demand is expected than previous owner who use as residence.

Roll Call Vote: Carr: Yes, Seaberg: Yes, Cadwell: Yes, LaCombe: Yes, Free: Yes

4. The conditional use shall be consistent with the intent and purpose of this Ordinance, and the objectives of the Au Train Township Master Plan.

Discussion: Use is consistent with the intent of Town Development District, mixed use in a business corridor.

Roll Call Vote: Cadwell: Yes, LaCombe: Yes, Seaberg: Yes, Carr: Yes, Free: Yes

APPROVED

APPROVED WITH CONDITIONS

DENIED

MOTION: Motion by Seaberg, Second by Free, to approve the use for a short-term rental for Kevin & Danielle Kolbus located at E7811 Frank's Trail, Christmas, Parcel ID# 001-179-016-10. The application is found to meet all requirements of the Au Train Township Zoning Ordinance, Section 802A - Basis of Determination General Standards.

ROLL CALL: Seaberg: Yes, Free: Yes, Cadwell: Yes, Carr: Yes, LaCombe: Yes
Motion carried 5-0

STATEMENT OF FINDINGS AND CONCLUSIONS
Conditional Use Hearing

Prepared by: D Shields, Recording Secretary

Parcel #: 001-570-013-00

Date of Hearing: April 9, 2026

Applicant: Elletta & Jason Yunk

Owner: Elletta & Jason Yunk

Address: 2649 Cooks Trail, Munising

District: LS/R2

Request: Short-term Rental

FINDINGS OF FACT:

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 not interfere with the public health, safety, and welfare of adjacent property or Au Train Township.**

Discussion: Concerns centered around the narrow road, small lot size, no parking on the road. Speculation if emergency vehicles could get by in a congested area. It was determined as long as there was a single lane open, they could.

Roll Call Vote: Seaberg: Yes, LaCombe: Yes, Cadwell: Yes, Carr: Yes, Free: Yes

- 2. The conditional use shall be designed, constructed, operated, and maintained in a manner compatible with adjacent uses of land and the natural environment.**

Discussion: While there are no other rentals on Cooks Lake, use is primarily intermittent summer recreational use with some full time residents.

Roll Call Vote: La Combe: Yes, Seaberg: Yes, Carr: Yes, Free: Yes, Cadwell: Yes

- 3. The conditional use shall be adequately served by, and not place demand on, essential public facilities and services in excess of current or planned capacity, or it shall be demonstrated that the person responsible for the proposed conditional use shall be able to adequately provide for the facilities and services deemed essential to the conditional use under consideration.**

Discussion: Road is maintained by volunteers. Much concern for the wear and tear of the road. Outsiders don't respect the road the same as someone paying for or providing labor to maintain.

Roll Call Vote: Carr: No, Cadwell: No, LaCombe: No, Free: No, Seaberg: Yes

4. The conditional use shall be consistent with the intent and purpose of this Ordinance, and the objectives of the Au Train Township Master Plan.

Discussion: The intent of the LS/R2 district is for preservation of existing quiet neighborhoods free from other uses except those compatible and convenient to the residents. It was felt that a short-term rental was neither compatible with nor convenient to the residents of that area.

Roll Call Vote: Cadwell: No, Free: No, LaCombe: Yes, Seaberg: Yes, Carr: No

APPROVED

APPROVED WITH CONDITIONS

DENIED

MOTION: Motion Carr, second by Cadwell, to deny the conditional use for a short-term rental for Elletta & Jason Yunk located at 2649 Cooks Trail, Munising Parcel ID# 001-570-013-00 because the applicant failed to meet standard #3 & #4 of the Au Train Township Zoning Ordinance, Section 802A - Basis of Determination General Standards.

ROLL CALL: Carr: Yes, Cadwell: Yes, Seaberg: No, LaCombe: Yes, Free: Yes
Motion carried 4-1