

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

Thursday, August 13, 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 Wyatt Seaberg, Member John Carr

Others present: Zoning Administrator Donna Shields, Greg & Julie Prunick, Martha & Don Verbrigghe, Kathleen Curtis, Gregory Welch, Rachel Kilgallen, Kitty Miller, Kirstin Daigle, Tom Mikulich, Cynthia Webster, Laura Anne Welch

- **APPROVAL OF AGENDA** – Motion by Carr, second by Cadwell to approve agenda as presented. Motion Carried
- **APPROVAL OF MINUTES** – Motion by Seaberg, second by Cadwell to approve minutes of the August 6, 2026 Planning Commission Meeting. Motion Carried
- **ZONING ADMINISTRATOR UPDATES** – ZA Shields presented on the latest zoning activity. Report is on file at the Township Hall and on the website.
- **PUBLIC COMMENT** – None
- **BOARD COMMENTS** – None
- **PUBLIC HEARINGS** –

- a **Jill Layton and Julie Prunick (LMPR LLC) requesting Conditional Use Permit to operate a short-term rental at N3957 Radcliffe Rd, Munising, Parcel ID# 001-216-012-15**

Chair LaCombe opened the hearing at 6:05 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. Shields explained that while the staff report lists the standards that must be met per the zoning ordinance section 802A, she has not given comment as those are discretionary standards to be decided by the planning commission. Shields went on to explain that the discretionary standards are something that are established based on direction under the Michigan Zoning and Enabling Act. Discretionary means its left to personal choice, judgement, or decision rather than being a fixed strict rule, meaning it's not black and white. One person can have one interpretation and another person might think differently. Shields further explained that because she is not the deciding person in these

hearings, she can give suggestions and recommendations, but truly it is up to the panel of five (Planning commission) to decide whether it meets all four of the standards.

ZA Shields also wanted to make a few comments of her own from personal experience that seemed fitting to the request at hand in light of all the negative comments received in writing prior to the hearing. Shields spoke of childhood memories of living in Chicago and visiting an Aunt in Wisconsin who owned a cottage on a small lake and how her parents always had to check to see what weekend would be good for their visit as there was often a different family each week visiting in a one-bedroom cottage with sleeping bags throughout the place. It wasn't a rental, it was family, different people each week. Then Shields mentioned current times with her sister-in-law's family on a small lake downstate. A family cottage owned for more than 60 years. Now in a trust for the children, grandchildren, great as well as great-great grands. They keep a Google calendar to track who is going which week and how much time has been spent by each there. Children often bring along a friend, or someone might ask another couple they are friends with to join them. Once again, not a rental, a family cottage, but different people every week. As families grow, so do the number of persons coming and going and it's hard to keep up with who everyone is. Shields commented on having her own "camp" on a small inland lake on a private road. How noise carries across the water so easily. You know when someone is arguing, kids are playing, dogs are barking. That's life on a small lake. You have to accept that. Shields said the point she was trying to make is that just because you have a short-term rental, it isn't always the cause of noise and congestion problems as these things can happen in everyday life on a lake.

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

Greg Prunick (part owner in LMPR LLC) presented by first clarifying the address for the requested use as 3957 Radcliffe Rd, when the staff report was showing 3857 Radcliffe Rd. The ZA acknowledged that the applicant had the correct address on their application and the staff report was in error but we are indeed speaking of parcel 001-216-012-15 at 3957 Radcliffe Rd.

Mr. Prunick went on to state they were there asking for a conditional use to operate a short-term rental at 3957 Radcliffe Rd, Munising. Prior to their purchase of the parcel in October 2025, the property had been listed for sale through two different real estate companies for 6 months each and had not sold. Mr. Prunick went on to explain LMPR LLC is: Layton, McCollum, Prunick, and Radcliffe, the last names of the four persons who own this property. He went on to explain the family ties of all parties to Bob & Gladys Radcliffe, the original owners of the parcel and the 20 acres next to it, which this parcel was split off in the past.

Mr. Prunick explained that when they first bought the property and tried to file for this conditional use, it was brought to their attention that the structures were never properly inspected and a violation was occurring having two dwellings on the parcel when building permits indicated it should have been a garage and a cabin. After working with Alger County Building Inspector, Joe Cilc, the property has been properly permitted and inspected. The garage has been made uninhabitable by disconnecting the water and septic. The intentions are to rent the cabin, not the garage as it is only for storage now. The parcel is accessed off the Rapid River Truck Trail via Radcliffe Road, a private road which has an easement granted by Cliffs Forest Products on March 24, 1988 granting ingress and egress to Bob and Gladys Radcliffe, their heirs and assigns, forever.

Also mentioned was a list of “house rules” that would apply to all renters, such as no jet skis or motorized boats are allowed on the lake. That kayaks will be provided for renters use and there will be no carried in boats allowed on Joe Lake. This is to mitigate complaints for speed, noise, and invasive plants/animals brought in by other watercraft.

Mr. Prunick went on to say that they have been working on replacing a deteriorating deck and set of steps to the shoreline, all permitted through the Building Inspector and in line with soil erosion requirements, yet Building Inspector Cilc keeps getting calls from concerned neighbors questioning if he has the proper permits for his building. Also, four calls were made to Mr. Cilc to report they were leaching soil into the lake, one of which was an anonymous caller from California. Mr. Prunick questioned some of the written comments sent to the Planning Commission opposing the rental by saying some were named as opposers in one letter yet not everyone named submitted a formal letter of complaint of their own which makes him wonder if they truly do object or not.

Mr. Prunick noted that many of the complaints about road access are coming from folks who live on the north end of the lake who use access roads off M94 which are in terrible condition. Those roads do not connect to the property and renters coming in won't come in on those roads. In so far as concerns of trespass, the house rules state no trespassing. Mr. Prunick also noted that 8 of the 13 written complaints do not list the persons address or address various items one through four of section 802A. Instead, they were more like personal letters describing concerns like trespass, vomiting on others land, etc.

Mr. Prunick closed by stating he felt that this use met all four of the section 802A standards as required to pass this request and thanked the commission for serving.

Chair LaCombe opened the public comment period

Comments were heard from Rachael Kilgallen of Hendricks and Bordeau, Attorneys at Law, who stated she was acting as council for a number of neighboring owners on Joe Lake who wish to oppose the application. Ms. Kilgallen started out by pointing out that the zoning ordinance section 802A item 4 does not support this use. It states that the purpose of this district is to preserve existing quiet neighborhoods and allow uses compatible with that character. She stated the Township's Master Plan recognizes concerns associated with increasing use of short-term rent systems. Ms. Kilgallen stated that the evidence does not support health and safety with continual rotation and increased traffic on a narrow private road which is maintained by the private property owners who live on the lake. Also, the property has an approximate 40% grade down to the lakefront with limited access which is important to consider when people who are not familiar with the terrain use the property. Ms. Kilgallen described Joe Lake as a closet residential community being a small secluded lake that has many families connected to the lake for generations. She believes that if approved we would be introducing a commercial lodging operation which would not be compatible with the neighboring area. Ms. Kilgallen also commented that while each community member may not have submitted their own individual letters of opposition, each has signed the community letter and urged the Commission to please read each of the written comments submitted.

Comments were heard from “Michaela” who stated she was there representing the Nance,

Moyer, and Benko families who are owners of one of the south parcels. She described how she grew up spending her summers at Joe Lake and the tight knit community of families that knew and looked out for each other. That her Great-Great Grandfather built one of the first cabins on the lake. She had always been told that Joe Lake was special. She described boat rides around the lake with neighbors picking up others from their docks along the way. She felt that if short term renters were allowed access to this property, it would change the nature of the community as they cannot be expected to care the same for the land as the private owners who have lived upon it for generations. She asked that, for these reasons, the commission vote no to allowing the short-term rental.

Comments were heard from Kirsten Daigle who stated that her family is one of the owners in the letter submitted by Bob Pochowski. She did not submit a letter herself because she is authorizing Mr. Lavrich and Bob Pochowski and their council to represent the interests of her family. Ms. Daigle stated that like others, her family has been on the lake for over 100 years. Her Great-Great Grandfather was from Marquette and built a deer camp on Joe Lake when he worked for the railroad. Her family owns two parcels on the lake. She stated her father lived on 16-mile lake and it is no comparison to Joe Lake. 16 Mile Lake is residential with year-round access. She told of how there are 16 families around Joe Lake and there are people there that have known her since she was a baby. Ms. Daigle is concerned about the welfare of her property and of all the property owner's welfare having a transient community. While her property is not on the same road that would be accessed by the proposed rental, traffic on all roads matter because they are privately maintained at their own expense. People walk their dogs on these roads, so safety is a concern. Ms. Daigle asks that the Commission decline this application.

Comments were heard from Laura Welch. She feels that the conditional use should be consistent with the intent and purpose of the ordinance and the Au train Township Master Plan. She told of how when Joe Lake was settled, it was basically a summer place for families to just be. She stated that she has a friend with a rental that was only supposed to have 6 persons yet they would get call after call, year after year saying did you know there are 12 people staying at your house? Or did you know there was a wild party there last night? They don't want that; they would like Joe's Lake to stay Joe's Lake.

Comments were heard from Martha Verbrigghe. Mrs. Verbrigghe stated that her husband Don has worked on the (Radcliffe) road for many years, though they just bought their parcel 3 years ago from Suzanne Nance. She stated that they own three VRBOs elsewhere but that they agree there shouldn't be any STRs on Joe Lake. And that they even signed to that fact when they purchased their parcel. When Kathy Curtis went to sell some property, she stipulated to the buyers there will be no STRs. It never sold and she took it off the market. Mrs. Verbrigghe stated she thought this was a done deal having STRs out there until this application came up and they just don't want to see this happen. She went on to explain how there are five families that use that road (Radcliffe) and there has been some clearing done because the corners get bad as there is always fresh growth each year. There is a logging project going on right now so there are some places where it's still rough but the road continues to be maintained each year with new gravel where needed, whatever it takes to maintain the road. Mrs. Verbrigghe stated that having VRBOs of their own, they are aware of how much traffic comes from the VRBO. There's more to do and they come and go, there's also cleaners that have to come and go, and that all has to be factored in.

Comments were heard from Greg Welch who owns the property just to the north of the proposed rental where he has a cottage with his sister, his wife, and son. Totally they own 19 acres and it has been handed down through 4 generations comprising 2018 feet of shoreline on the east shore. He stated that they can't possibly see all their shoreline from one place and is concerned about others just going out to explore and not knowing they are on someone else's property, where the people of lake know where each other's properties are. Mr. Welch also sees this as an insurance problem, as if anyone is hurt on his property, he is liable and his insurance company does an annual audit. If they learn there's a commercial rental next door it will affect his rates.

Kathy Curtis gave public comment stating her family owns the property adjacent to the proposed rental and has been lake owners since 1932. Ms. Curtis respectfully asks the planning commission to deny this application for the CUP based on compatibility with several of the 802A standards. Citing standard #4 that LS/R2 zoning is intended for the preservation of existing quiet neighborhoods free from other uses except those that are compatible and convenient to the residents of this district. She states that this application is incompatible with the multi-generational quiet residential community that has existed on this lake for over 100 years. Furthermore, she feels that an STR is incompatible use on a private lake with no public access. Ms. Curtis spoke of one of the first times she drove up there to help her parents, the McCollums stopped her on the road until she got out of her car and explained who she was and who she was going to see, then they decided she was OK. She stated that she felt a rental would definitely increase traffic on the road since the property has been vacant for a number of years. There will be increased costs in time and materials all shared by 5 families. Ms. Curtis spoke of standard #1 stating the use shall not negatively impact resident safety and welfare. Being such a remote location now, she was concerned about signage to guide renters in will increase their visibility and perhaps cause others to visit with negative intent. Ms. Curtis respectfully asked the commission to protect the intent of the ordinance and deny any permit.

Comments were heard from Kitty Miller who stated she has been on Joe's Lake since she was born. Her concerns were with people seeing all the other nice places and things as they traversed the lake and it might lead to theft and people taking whatever they want or just mess things up for spite. Having people around she doesn't know makes her feel uncomfortable.

John McCollum (part owner in LMPR LLC) spoke next of how his family has been on Joe Lake since 1955. He stated that Radcliffe Road is not a winding narrow road of blind curves as some of the written comments state it is. He sent in a video of a drive down the road to the commission prior to the hearing to prove that fact. He states as far as trespassing, he has a big problem with that because when he was building his parents cabin and then another behind him, they had numerous people come up and look through the windows and then make comments about what they were doing. They climbed stairs that were being rebuilt. In 2020 when they were remodeling their Radcliffe cabin, they had people coming up and now this year while they are fixing up this cabin, people have come up again and gone through the house. He asked, how can people talk about trespassing when they are actually doing it to us? This is what has been happening in this community. They have never included us in their community. Mr. McCollum stated that they aren't trying to make the cabin a rental because they aren't part of the community, they are doing it to help pay the taxes and insurance to the property. There will be house rules that must be followed.

Comments were also heard from Don Verbrigghe who does the road maintenance who took exception to Mr. McCollum's comments and stated he has always been friendly and visited with them. He stated it's not like we are disassociated. Mr. Verbrigghe stated he had visited with Greg (Prunick). That he has been over to their place when they were remodeling and they never once said they were fixing it up for a vacation rental, they said they were fixing it up for family. But he does go over there. Prunick agreed, he was the exception.

Comments were heard from Julie (McCollum) Prunick, one of the applicants. She began to read aloud a letter written by her Aunt Jill who was not able to attend. Aunt Jill wrote that the Robert Radcliffe family cabin was built in 1956 and that they have been on Joe's Lake for 70 years. They were the only cabin on that side of the lake and they kept the road up and maintained and repaired it when needed. Aunt Jill stated they lived in unison with others spending much of their summer at the lake. They had lots of friends and relatives staying, coming and going throughout the summer, (Julie added, much like what ZA Shields described.). Aunt Jill stated that they have always taken care of the lake and the properties and are committed to preserving the environment and peaceful nature of Joe's Lake. She went on to say that they are a 5 generation family with no plans to ever sell and that they, as much as their family members that have passed, love this place with all their hearts.

Next, written comments that were received prior to and distributed to the planning commission members were summarized by Secretary Free. The full text of which will be kept on file with the application.

- ⇒ **Greg Welch** sent in correspondence voicing concerns about safety and preservation of the properties owned by the neighbors.
- ⇒ **Kitty McIntyre Miller** sent an email voicing concerns about safety on the road and the change to character of the neighborhood. **The Mikulich family** sent in shared concerns about the change to the neighborhood.
- ⇒ **Cynthia Webster** sent in concerns about compatibility to the use and changes it will make to the neighborhood.
- ⇒ **Paul Benko** sent in shared concerns about the maintenance and safety of the road, as well as changes to the neighborhood if the rental is allowed.
- ⇒ **Suzanne Nance, Anne Pochowski, Alexandra Henderson, Anne Smrcina, Laura Bowser, Mary Lavrich and Kathy Curtis** sent in shared concerns about the rental meeting the 802A standards. A joint letter was sent representing the residents of Joe's Lake by **Bob Pochowski**.
- ⇒ **Mary Lavrich** sent in concerns about riparian overburdening on the lake with the proposed short-term rental.
- ⇒ **Rachael Kilgallen** of Kendricks Bordeaux, Attorneys at Law sent in comments on behalf of her clients **John Lavrich and Bob Pochowski** stating how the proposed rental does not meet the 802A standards.

- ⇒ **John Lavrich** had originally sent in a 14-page letter prior to the first scheduled hearing. It cited that he had not been notified of the hearing by right and requested it be rescheduled (which it was.) He also voiced concerns about:
- Boat Launch – Lake access (stairway/dock) asking that permission not be granted without the proper permitting for soil erosion control
 - Watercraft type and horsepower allowable – asking for conditions to limit any watercraft to be launched be no more than 30HP.
 - Boat Launch – Asking that the adjacent property, also owned by the applicant, not be used for boat launch or lake access for rental.
 - Invasive species risk – Voicing concerns over possible invasive species risk posed by the allowance of outside watercraft without proper cleaning.
 - Shared road – Voicing concerns regarding maintenance, speed limit, and requesting a formal maintenance agreement be adopted.
 - Events and large gatherings – Expressed disapproval for such happenings.
 - Property Boundaries – Request all boundaries be marked to avoid trespassing.

Chair LaCombe closed the public comment period and hearing at 6:58 pm

The Planning Commission opened their discussions with Seaberg asking for the list of house rules mentioned in Mr. Prunick's opening statements. A copy was then shared among the members.

Chair LaCombe reviewed an aerial map of Joe Lake and the area surrounding it and asked the applicant if it was possible to get to the property from the north. Mr. Prunick stated that it was not possible. The properties on the north side of the lake access off M94 and the parcel on the south have to access off Rapid River Truck Trail via Radcliffe Road.

The applicants were asked if they would be renting year-round. The applicants indicated this will not be a year-round rental, estimating 45 to 60 days a year in summer only. No ATVs, no four wheelers, no side by sides allowed.

Seaberg commented that he felt that the community needed an HOA to address their neighborhood concerns.

The Board decided to move on to the review of the General Standards from Section 802A of the Au Train Township Zoning Ordinance. See *Statement of Facts and Findings Attachment A*.

Recording Secretary Shields restated the vote counts for each of the standards. The Commission went into further discussion to determine if any conditions could be placed upon the use to help it meet the failed standard #4. It was felt no such condition(s) could be applied.

Motion by Carr, second by Cadwell to deny the conditional use for a short-term rental for Jill Layton & Julie Prunick located at N3957 Radcliffe Rd, Munising Parcel ID# 001-216-012-15 because the applicant failed to meet standard number four of the Au Train Township Zoning Ordinance, Section 802A - Basis of Determination General Standards.

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

A brief recess was called by Chair LaCombe from 7:30 to 7:37pm

- **OLD BUSINESS** – None
- **NEW BUSINESS** – None
- **CORRESPONDENCE/ANNOUNCEMENTS** – None
- **PUBLIC COMMENT** – Comment was heard from Kathy Curtis
- **ZONING ADMINISTRATOR COMMENT** – A brief mention was made by ZA Shields on the recent receipt of a CUP application from David Charlton for a 120-unit RV Park for a property he is looking at purchasing. Since the access to this parcel requires an easement through USFS lands off Au Train Forest Lake Road, the hearing will not be scheduled until the applicant can provide documentation that he has approval from the USFS to use their road for this commercial use. Shields has been in contact with the Hiawatha National Forest District Ranger Nathan Carle who indicated he needed to discuss this with the person in charge of lands for further direction.
- **BOARD COMMENT** – None
- **NEXT MEETING** – Regular scheduled meeting on September 10, 2026 at 6:00pm with another work session on the zoning ordinance edits.
- **ADJOURN** – Motion by Carr, second by Seaberg to adjourn at 7:46pm. Motion Carried

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

Approved: September 10, 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 #: 001-216-012-15

Date of Hearing: August 13, 2026 6:00pm

Applicant: Jill Layton/Julie Prunick

Owner: LMPR LLC

Address: N3957 Radcliffe Road, Munising

District: LS/R2

Request: Short-term rental (STR)

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: Seaberg felt that the use wasn't any different than a home use.

Roll Call Vote: LaCombe: Yes, Cadwell: Yes, Free: Yes, Seaberg: Yes, Carr: Yes
Compliance with standard passed: 5-0

- 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: Carr felt that it was not compatible as there are no other STRs on this lake, while Seaberg felt that vacation home and vacation rental were basically the same.

Roll Call Vote: Seaberg: Yes, LaCombe: Yes, Carr: No, Cadwell: No, Free: Yes
Compliance with standard passed: 3-2

- 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: The commission felt there would be no extra burden on police, fire, or

EMS. It would be no different than if the neighbors needed to call 911.

Roll Call Vote: Carr: Yes, Cadwell: Yes, LaCombe: Yes, Seaberg: Yes, Free: Yes
Compliance with standard passed: 5-0

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: Cadwell read aloud the intent of the LS/R2 district: *"The Lakeshore and River Two District is intended for the preservation of existing quiet neighborhoods free from other uses except those which are compatible with and convenient to the residents in this district."* Seaberg stated that this intent applies to the District as a whole not just Joe's Lake. Carr stated that the Planning Commission wanted the STR use removed from the LS/R2 district with the last amendments, but the Township Board didn't agree. Carr stated that he felt the use was not consistent with the intent of the district.

Roll Call Vote: Cadwell: No, LaCombe: No, Seaberg: Yes, Carr: No, Free: No
Compliance with standard failed: 4-1

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APPROVED

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APPROVED WITH CONDITIONS

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DENIED

MOTION: Motion by Carr, second by Cadwell to deny the conditional use for a short-term rental for Jill Layton & Julie Prunick located at N3957 Radcliffe Rd, Munising Parcel ID# 001-216-012-15 because the applicant failed to meet standard number four of the Au Train Township Zoning Ordinance, Section 802A - Basis of Determination General Standards.

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