

AU TRAIN TOWNSHIP PLANNING COMMISSION – SPECIAL MEETING

March 20, 2023 – 6:00 PM – AU TRAIN TOWNSHIP HALL

Call to Order / Pledge of Allegiance:

Meeting was called to order at 6:01 PM and the Pledge of Allegiance was recited by all in attendance.

Roll Call:

Members Present: Jason Cain, Secretary; William Gramm, Member; Matt Lang, Chair; Jake Miller, Trustee; Bill Weisinger, Vice chair.

Members Absent:

Others Present: Kathleen Lindquist, ZA; Michelle Doucette, Township Supervisor; Donna Leroy; Dan Delisle; Sue Burk; Raelene Reilly; Scott Smith; Rebecca Wilder.

Approval of Agenda:

Motion: To approve the agenda.

Moved: Lang

Supported: Miller

Motion Carried Unanimously

Approval of Minutes:

Motion: To approve minutes of the March 9, 2023 meeting.

Moved: Lang

Supported: Cain

Motion Carried Unanimously

Public Comment:

Raelene Reilly, Cedar St. Au Train. She stated her opinion that the short term rentals have changed the village of Au Train, and that she does not know her neighbors anymore. She stated she believes there

are too many short term rentals in the village, which bring in a lot more noise, snowmobilers, and traffic. There is noise at all hours of the night and morning, including fireworks. She stated she would not like to see more renters, and Au Train village does not seem like a home anymore, it is more like living near a motel.

Sue Burk Jinglebell Lane, Christmas. She stated that she has multiple rentals around her home in Christmas. The noise from renters is excessive, and renters sometimes trespass on her property. There is campfires, smoke, and drinking – she also stated that renters are disrespectful.

Sue Burk also submitted a letter to the board, which was read by the secretary.

Conditional Use Permit – Daniel Delisle for a short term rental on parcel 001-539-001-00 at E7987 Jingle Bell Lane, Christmas MI 49862.

Chair Lang opened the hearing at 6:16 PM.

Mr. Daniel Delisle confirmed he had purchased the property in June 2022 during the short term rental moratorium to specifically operate it as a short term rental, since at the time the district that the property resides in was zoned Town Development.

Mr. Delisle talked about how he had fixed the property up and made major repairs to the property and all buildings therein. Mr. Delisle would be the operator and on site manager if CUP is approved. He owns multiple rentals in the immediate area.

Mr. Delisle stated he would rent to parties of 6-8 people maximum, and currently does not have any plans to rent the property during winter time.

Mr. Delisle stated ATV and snowmobile traffic could enter and exit the property from the ATV trails on the south side of his property, alleviating any traffic on Jingle Bell Lane. Trustee Miller disputed this claim since there is private property to the south of Mr. Delisle's property. Mr. Delisle stated he had permission from the land owner. Mr. Delisle also stated that he had surveillance cameras pointed down Jingle Bell Lane.

The board members went through Section 802 of the Zoning Ordinance and Mr. Delisle gave yes or no answers to them.

Chair Lang opened public comment at 6:44 PM.

Donna Leroy, Christmas MI – stated she was in support of the rental if no snowmobile groups were allowed and said most problems stem from those in the area who rent on a weekly basis without an approved Conditional Use Permit.

Michelle Doucette, AuTrain MI – stated in the event of a noise complaint that is not actioned by the Sheriff Department, the next thing that should be done is call her and she can action it with the Sheriff Department as the Township Supervisor.

Chair Lang closed public comment at 6:53 PM.

With no additional public comment, Chair Lange closed the hearing at 6:54 PM. Deliberation between the board members commenced at this time.

Motion: CUP approval with the following conditions – no snowmobile or ATV groups, and no trailers.

Moved: Miller

Supported: Lang

Ayes: Miller

Nays: Lang, Gramm, Weisinger, Cain

Motion Failed 4-1

Additional discussion between board members followed the first failed motion.

Motion: Approve CUP with no additional conditions

Moved: Cain

Supported: Gramm

Ayes: Cain, Gramm

Nays: Lang, Weisinger, Miller

Motion Failed 3-2

Additional discussion between board members followed the second failed motion.

Motion: Approve CUP with the condition of no snowmobile or ATV groups.

Moved: Miller

Supported: Gramm

Ayes: Miller, Gramm, Cain

Nays: Lang, Weisinger

Motion Carried 3-2

Conditional Use Permit – Daniel Delisle for a short term rental on parcel 001-537-001-00 at 8035 State Hwy M28, Christmas MI 49862.

Chair Lang opened the hearing at 7:23 PM.

Mr. Delisle went through Section 802 with the board, giving yes or no answers.

The proposed short term rental has 4 bedrooms and 2 floors. Mr. Delisle would be the on site operator and manager if approved.

At 7:40 PM, Chair Lang closed the hearing after ZA Lindquist located an approved CUP for short term rental dated October 2018 in the township office.

Public Hearing:

Conditional Use Permit – Scott Smith for parcel 001-536-046-00 at N7767 St. Nicholas Lane, Christmas MI 49862.

Chair Lang opened the public hearing at 7:42 PM.

Mr. Scott Smith stated he had previously attempted to rent by the month and had lost a lot of money on non-paying renters. He has had no issues with the snowmobilers, and stated most snowmobile issues are caused by local people. This would be a year round rental, there is plenty of room for parking of vehicles and trailers. The proposed rental has five bedrooms and two floors, and would limit the number of renters to 10-12 people maximum.

Mr. Smith stated that it is easy to remember the bad tourists, and most of the tourists are very respectful of the area, local residents, and private property.

Mr. Smith went through Section 802 with the board and laid out how the rental would conform to each standard.

Chair Lang opened public comment at 7:49 PM.

Dan Delisle, Munising MI. Mr. Delisle stated this rental would be excellent for the local economy

Sue Burk, Christmas MI. Mrs. Burk asked if there would be any on street parking since there has been some in the past at this property, and that creates problems when turning off the highway. The board asked Mr. Smith to comment, and he stated there is plenty of room to park off street, and there would be no issues with vehicles or trailers parking on the street.

Michelle Doucette, Au Train MI. Mrs. Doucette stated that as a rental owner, it is up to the owner to manage each group, and ensure there are no violations of the noise ordinance. It is an easy thing to do to ensure each rental group understands the expectations of the area, and the owners need to speak up and enforce issues such as noise violations.

With no additional comment, Chair Lang closed public comment at 7:55 PM.

Chair Lang closed the hearing at 7:56 PM.

Discussion between board members was brief, with no concerns for the location of the proposed rental.

Motion: To approve CUP as listed.

Moved: Weisinger

Supported: Cain

Ayes: Weisinger, Cain, Gramm, Lang, Miller

Nays: None

Motion Carried Unanimously

Correspondence / Announcements:

Trustee Miller asked the board and the Zoning Administrator how we find out prior to a hearing if a CUP exists for the proposed property – either by the prior owner or if permits had been requested and approved for the current owner. Chair Lang asked if the CUP process could be maintained in a database for ease of researching. ZA Lindquist stated that is a goal of her office.

Next Meeting: Next meeting is a Planning Commission regular meeting set for April 20, 2023 at 6:00 PM.

Public Comment:

Mr. Delisle stated the decision to approve his CUP with the conditions of no snowmobile or ATV groups was a poor decision.

Mr. Duane Newton submitted an email for public comment and it was read by the secretary. The secretary also read the response from the Au Train Township Board secretary.

Adjournment:

Motion: To adjourn.

Moved: Gramm

Supported: Weisinger

Motion Carried Unanimously

Chair Lang adjourned the meeting at 8:23 PM

Submitted by Jason Cain, Secretary, Au Train Township Planning Commission