

AU TRAIN TOWNSHIP PLANNING COMMISSION – REGULAR MEETING

August 17, 2023 – 6:00 PM – AU TRAIN TOWNSHIP HALL

Call to Order / Pledge of Allegiance:

Meeting was called to order at 6:04 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: None

Others Present: Kathleen Lindquist, ZA; Michelle Doucette, Township Supervisor; Wyatt and Kirsten Seaberg; Phillip Martin; Marsha Morrison; Kris and Greg Lindquist; Robert Bowers; Dan LaCombe; Tom Hill; Howard Varvil; Marietta Iordiaciesch; George Whiting; Dan Bowyer; Kris Francis; Dean Seaberg; Eileen Cummings; Barb Couter; Mike and Mary Tiernan; Dave Martin; Becky Martin; Tom Beauchaine; Susannah LaCombe.

Approval of Agenda:

Motion: To approve as written.

Moved: Cain

Supported: Gramm

Motion Carried Unanimously

Approval of Minutes:

Motion: To approve the minutes from the June 29, 2023 Special Meeting.

Moved: Cain

Supported: Gramm

Motion Carried Unanimously

Public Comment:

None

Public Hearing:

Conditional Use Permit – David Urso for a short-term rental on parcel 001-363-001-00 at E5473 Woodland Avenue, Au Train MI 49806.

Chair Lang opened the hearing at 6:09 PM.

David Urso introduced himself. He was raised downstate, currently lives in Georgia, and is a general contractor. He purchased the home in question as a future retirement home and plans to use it as a year round rental until such time as he relocates here for retirement. The house has 3 bedrooms, 2.5 baths, and a basement. He plans to have a rental company manage the property but has not determined which one as of yet.

Chair Lang opened public comment at 6:12 PM.

Tom Beauchaine spoke. He is the property owner directly to the south of this proposed rental. Also, he owns the home to the west of the property. He questions whether the proposed rental property fits into the TD district. He stated there are enough short term rentals in AuTrain Village and this should not be allowed.

Mike Tiernan owns property to the east of this proposed rental. He states there are too many rentals in the area already, spoke of ATVs and snowmobiles driving too fast up and down the roads, and says the neighborhood is not what it used to be.

Connie Albro says that we have enough rentals in the AuTrain area, nobody has a place to live, and that all properties west of Arbutus street are rentals.

Mary Tiernan asked about the economic impact for state and federal money, and how it impacts our community. She also states that all rentals are not in compliance.

Bob Desarmo from Ridge Road asks what economic dollars coming into the township from rentals, and what will it do to property values if more rentals are not allowed.

Mark Hicks says he is concerned with snowmobiles and noise, very loud exhaust plus traffic increase. He also states he had property damage at the edge of the driveway from snowmobile traffic.

Howard Barville, property owner kitty-corner from proposed rental has had snowmobile traffic at all hours, plus snowmobiles cutting through his apple trees and within 10 feet of his house. He worries about traffic accidents.

Mike Tiernan spoke again and asked who enforces the speed limit for the tourists.

Chair Lang closed public comment at 6:26 PM.

Board members discussed the property and asked multiple questions of Mr. Urso.

Chair Lang closed hearing at 6:43 PM.

Motion: To table decision until the owner has a property manager in place according to the CUP standards (F1). Will table the decision until the next meeting.

Moved: Miller

Supported: Gramm

Ayes: Miller, Gramm, Lang, Wiesinger, Cain

Nays: None

Abstained: None

Motion Carried

Conditional Use Permit – Wyatt and Kirsten Seaberg for a hobby farm on parcel 001-325-020-00 at N7840 Ridge Road, Munsing MI 49862.

Chair Lang opened the hearing at 6:44 PM.

Wyatt Seaberg states he owns 36 acres at this property, would like to keep one horse and one donkey. Per zoning, CUP's approved for hobby farms demand five acres per horse, plus one additional acre per additional horse. He states this is plenty of property to have 2 horses.

Chair Lang opened public comment at 6:45 PM.

Phillip Martin spoke and asked how many horses can he have if one horse gives birth.

Dan LaCombe asked why is it named a hobby farm.

Chair Lang closed public comment at 6:49 PM.

Chair Lang and Jake Miller addressed what the hobby farm definition is from the zoning document. The township attorney further defined and presented copies of the GAAMPS and RTFA documents that assist in the definition of hobby farms and agricultural uses in zoning.

Chair Lang closed the hearing at 6:57 PM.

Motion: To approve based on owner following GAAMPS per the zoning ordinance, section 423.

Moved: Miller

Supported: Weisinger

Ayes: Miller, Weisinger, Lang, Gramm, Cain

Nays: None

Motion Carried

Conditional Use Permit – Wyatt and Kirsten Seaberg for a resort on 001-325-020-00 at N7840 Ridge Road, Munsing MI 49862.

Chair Lang opened the public hearing at 7:04 PM.

Wyatt Seaberg spoke, states property was permitted to be a resort under the old zoning document when this property was purchased. The property used to be a resort, and that he plans to build a resort on the south side of the property.

The board members asked ZA Lindquist to verify if property in question is zoned TD. She responded yes.

Chair Lang opened public comment at 7:10 PM.

Robert Bowers owned the property in question starting in 1995. He divided the original 88 acres into 8 parcels for development. The roads were designed to handle 8 households, not 70 people per night. He says it will increase traffic and wear/tear on the roads. Another concern is traffic turning on or off into or from the passing lane at the corner of Ridge Road and M28. He is concerned with accidents. Also, he states Nesslewood and SandCrane Hollow are private roads. He asks board to disallow the resort.

Dan LaCombe, from Ridge Road, says he feels sorry for people who live on the private roads, and is totally against the resort.

Bob Desarmo owns property on the north boundry on Nesselwood Drive. He bought property in 2020 to have a retirement home, not a resort. All residents are paying for upkeep of the road. He does not want to see a degraded road. Also, he says there are plans for a 40 foot parking lot, and he doesn't want campers in there.

Dan Lawyer owns property on Ridge Road. He read a letter written by his sister.

Wade Cross, the neighbor directly to the south of the proposed resort, says he already has issues with the prep work. He referenced section 802 (3) (5) and asks the board to consider not approving the CUP.

Phillip Martin wonders if environmental and economical surveys have been done, and if widening of the road will be an issue. He states he would have issues with the noise and wonders how the parking lots would allow RV's to turn.

Debbie Nedeau owns property on Ridge Road. She is very concerned about all the havoc and busyness it will bring. She would no be opposed to Mr. Seaberg having cabins on front acres, but not at the proposed site.

Brian VanWiernan bought his property in 2021 to retire. He does not believe it would help to add traffic. He likes to walk his donkey's and dogs on walks down Nesselwood Drive, but would be worried about increased traffic. He states he believes the property in question is zoned RR 1/2 and not TD.

Christy VanWiernan stated that on the CUP application, trees stated as green space on application are cut down, and she doesn't know why he would do that. She also states the roads are privately owned.

Kris Lindquist owns property on Ridge Road. She says shame on the Seabergs for being disrespectful to neighbors. She doesn't want strangers, litter, traffic, 24-7 traffic going 80 mph by driveway and hopes it won't pass.

Chair Lang closed public comment at 7:37 PM.

Mr. Seaberg asked to speak, and was granted. He clarified that this was not a campground CUP, so there will be no RV's or campers hooked up. He says he disputes the border with Wade Cross, and he has replanted trees in the disputed area. He has heavy interest in upkeep of the road, and as the owner of an excavation company, he has the tools and equipment to do so.

Boardmembers asked Mr. Seaberg and the township attorney multiple questions. There was discussion between the board members.

Considerable discussion occurred between the board members prior to a vote.

Motion: To approve with conditions of placing a screening between the Seaberg and Cross properties no later than June 1, 2024, and that no RVs or camper hookups are allowed on the property.

Moved: Cain

Supported: Gramm

Ayes: Cain, Gramm

Nays: Lang, Weisinger

Abstain: Miller

Motion Failed

Motion: Motion to approve with conditions of placing screening between the Seaberg and Cross properties no later than June 1, 2024, no RV or camper hookups allowed on the property, and limit the number of cabins to seven.

Moved: Gramm

Supported: Cain

Ayes: Gramm, Cain

Nays: Lang, Weisinger

Abstain: Miller

Motion Failed

Chair Lang declared the hearing closed with no passing of any motion and a likelihood of a motion not passing without a large amount of plan revision from the owner.

Chair Lang closed the hearing at 8:17 PM and declared a recessed meeting until 8:27 PM.

At 8:27 PM Chair Lang reopened the meeting.

Correspondence / Announcements:

None.

New Business – Master Plan Review and discussion:

Board members discussed for meeting in September to discuss the Master Plan only and forego any CUP hearings in order to start the Master Plan. Thus far, there has only been a focus on CUP hearings, and nothing has been accomplished for the Master Plan.

Board determined next special meeting will be to discuss Mr. Urso's property manager and the discussion of the Master Plan.

Next Meeting: Next meeting is a Planning Commission special meeting set for September 14, 2023.

Public Comment:

Chair Lang read an email from Duane Newton.

Adjournment:

Motion: To adjourn.

Moved: Cain

Supported: Gramm

Motion Carried Unanimously

Chair Lang adjourned the meeting at 8:52 PM

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