



## **Township of Lapeer Planning Commission**

**Lapeer County, Michigan**

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### Members:

Tim Roodvoets, Chair  
Ken Ewing, Vice-Chair  
Deborah Cady, Secretary  
John Rutzen  
Phillip Thick  
Daniel Gingell  
Sandra Lackey-Jarvis

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September 19, 2011

Chair Roodvoets called the Planning Commission regular meeting to order at 7:30 p.m.

### **Commissioners in attendance:**

Chair Roodvoets, Vice-Chair Ewing, Secretary Cady, Commissioners Rutzen, Thick, Gingell, and Lackey-Jarvis.

### **Other attendees:**

Chris McLeod, Planning Consultant, Community Planning & Management  
Cory Mabery, Engineering Consultant, Davis Land Surveying & Engineering  
Karen & Bill Cape  
Rod Blight, Rainbow Rascals  
Randy Crum, Lapeer Landscape  
Brad Crum, Lapeer Landscape  
Leonard Lumley, Lapeer Township Zoning Board of Appeals, Chairman  
Jocelyn Scofield, resident of 2890 Wilder Road  
Susan Ruvido, resident of 2831 Wilder Road  
Dawn Walker, Lapeer Township Clerk and recording secretary

A roll call vote was taken, a quorum was present.

### **Public Time:**

Chair Roodvoets opened the meeting for public time.  
No one appeared wishing to address the Planning Commission during public time.

### **Approval of minutes:**

Motion by Commissioner Ewing, support by Commissioner Thick to approve regular meeting minutes of July 18, 2011. A vote was taken. All in favor (7). Motion carried.

### **Old Business:**

#### Rainbow Rascals Lapeer Township, LLC, SLU #2011-001, revision

Planning consultant, Chris McLeod addressed the commission regarding his comments dated July 6, 2011. He noted that revised site plan, elevations and floor plans are received tonight and on file. No. 4, HVAC units were discussed by commissioners at the July meeting and noted as acceptable. No. 5, front yard parking is noted as the best scenario for the site and should be noted in the motion. No. 12, tree density at the rear of the site was discussed at the July meeting and commissioners felt that the existing tree line was sufficient for the site. Nos. 9 and 14, dumpsters and the sign have been addressed in the new submission. No. 20, the Lapeer Township Zoning board of appeals granted the play yard setback.

Planner McLeod noted that previously MDOT had granted a drive to the applicants. MDOT has reversed their previous decision to say that the applicant will not get an access drive on M-24 at all. An email to Clerk Dawn Walker from MDOT Representative Linda Burchell dated Monday, September 19, 2011 was entered into record. The email states that MDOT is giving conditional approval for a temporary direct access to the property limited to one year from the time of the MDOT permit.

Commissioners agreed that this means that the applicant will have to work with the properties to the north and south for access from MDOT. Commissioners discuss that a temporary MDOT approval is still MDOT approval and that this meets the requirements of the township ordinance. Planner McLeod recommended that the commission reflect the removal of the temporary drive after approval by MDOT for a permanent drive.

Commissioner Thick asked who would have the burden of overseeing the removal of any temporary drives.

Engineer Mabery noted that the applicant has met the site plan requirements for engineering and that the remainder of items will be addressed during the engineering review / permit to construct.

Commissioner Gingell questioned access road in front of properties. What would make existing businesses comply with a shared access drive? Also, what can the applicant do to show good will in working toward resolution of an access permanent drive?

Engineer Mabery stated that MDOT approval could consist of several things which includes: MDOT could issue extensions until a resolution is established or forced with neighbors; or the temporary drive could become a permanent drive. If neighboring parcels were to change their use MDOT could force them to redo their access drive.

Commissioner Lackey-Jarvis asked if the change in the drive would affect the parking.

Chairman Roodvoets noted that until MDOT's change in opinion on Thursday, the temporary drive was actually the access and was previously acceptable with the commission.

*MOTION by commissioner Gingell, support by Commissioner Ewing to approve site plan / special land use #2011-001. As a part of the motion it is noted that the commission approves of the temporary MDOT drive for access to the site. It is also acknowledged that the commission is allowing parking in the front yard. The special land use meets article 6.02, Lapeer Township special land use standards.*

Chairman Roodvoets noted that the minutes should reflect that this is not a conditional approval of the site. The MDOT temporary permit is an approval for the site.

*Upon a roll call vote the following voted Aye (7): Gingell, Ewing, Cady, Thick, Lackey-Jarvis, Rutzen, Roodvoets. Nays: none. The chairman declared the special land use approved.*

Karen and Bill Cape and Rod Blight departed at 8:10 p.m.

**New Business:**

Lapeer Landscape, SLU/SPR #2011-004

Planner McLeod reviewed his written comments dated August 15, 2011 with the commission.

Engineer Mabery noted that his comments mirrored those of Community Planning & Management. He added that there is confusion from verbal conversation with the applicant. The applicant received a previous site plan obtained from the Township on a previous site plan approval. This previous submittal should have been submitted and his new drawings submitted as an addendum to the original.

Commissioner Rutzen questioned regarding Davis Engineering comment no. 12.(C.5).

The applicant questioned the parking space formula of the ordinance. Engineer Mabery stated that on the site plan, parking should be clearly noted and at the actual site spaces should be painted.

Commissioner Cady questioned the type and size of trucks coming in and out of the site.

Planner McLeod noted to applicant that according to the zoning ordinance (which is online) he is required to provide five spaces plus one additional for each employee; for a total of six parking spaces if he employs one person. This needs to be noted on the site plan. It was also relayed to the applicant that if the space is available it would be beneficial to show additional parking now rather than to have to come back at a later date.

