

**LAPEER TOWNSHIP PLANNING COMMISSON**  
Lapeer Township Hall and Community Building  
Monday, November 16, 2009  
Regular Meeting  
7:30 pm

PRESENT: Vice-Chairman Kenneth Ewing, Secretary Ruth Lendt, Commissioners John Rutzen, Phillip Thick, Deborah Cady, and Dan Gingell.

ABSENT: Chairman Tim Roodvoets, excused.

OTHERS  
PRESENT:

Christopher McLeod of Community Planning & Management, P.C. -  
Lapeer Township Planning Consultant  
Cory Mabery, Davis Land Surveying & Engineering – Engineering  
Consultant  
Terry and Tom Collins, 1338 Baldwin Rd. –resident  
Leonard Lumley, 1031 Pine Tree Lane - resident  
Dawn Walker, Lapeer Township Clerk and recording secretary

**Vice - Chairman Ewing called meeting to order at 7:30 p.m.**

Roll call followed, a quorum was present.

APPROVAL  
OF MINUTES:

The October 19, 2009 regular meeting minutes were presented for approval.

***MOVED*** by Commissioner Thick, support by Commissioner Cady to approve the October 19, 2009 regular meeting minutes as presented. A vote was taken, Ayes: (7). ***MOTION CARRIED.***

**PUBLIC TIME:**

Vice-Chairman Ewing opened the meeting for public time.

No one appeared wishing to address the Planning Commission during public time. Public time was closed.

**NEW BUSINESS:**

T. COLLINS  
SLU 2009-004:

Mrs. Terry Collins appeared before the commission requesting a special land use to request the use of her home as a “family day care” facility for seven (7) to twelve (12) children. The applicant stated that she has had a day care license issued by the State of Michigan for twenty seven (27) years. Prior to her center that opened four (4) years ago she was licensed from her home. She had the ambition to open a child care center and has conducted a center in the City of Lapeer for the last four years. She now needs to go smaller and move her child care business back to her home. The State now requires municipality approval before granting a child care license.

Vice-chairman Ewing asked for the review completed by Chris McLeod of Community Planning and Management. The review dated November 5, 2009 by the Township planning consultants was entered into record.

Planner McLeod reviewed the concerns noted in his review and recommended approval with the outlined concerns being addressed to the satisfaction of the Planning Commission.

Commissioners asked the applicant questions regarding parking, the number of children being cared for at one time and the age of the oldest child being cared for. They also asked questions regarding the number of employees that will be used in the business operation.

Commissioner Thick noted the thoroughly organized application that was submitted and noted the detail that was used.

Commissioner Rutzen asked the applicant questions regarding her use of her home previously and if it had come before the planning commission for review. He also noted concern over the children having to cross the parking area to get to the play area and questioned the applicant on this matter.

Engineer Mabery noted Community Planning and Managements comment on the septic and well and stated that the applicant should ensure that the health department certifies that the well and septic are adequate for the proposed use.

Vice - Chairman Ewing opened the public hearing at 7:50 p.m.

Dawn Walker stated that she is a neighbor of the applicant and had used her previously for her own children. She stated that she never had any problems with the care or safety of her children and that the daycare was organized very well. She also stated that it is important to note that most traffic is seen in the morning and evening when parents are dropping off or picking up their children.

No one else wished to address the planning commissioners during public time.

The public hearing was closed at 7:55 p.m.

Discussion followed regarding the children crossing the parking area to get to the play area. The applicant stated that she had signs and orange cones to use and that the children are not left alone. Commissioners also questioned applicant on the heating system used in the home.

Applicant in reply to questions of Commissioners stated that she would be downsizing her daycare from sixty-eight children to twelve and from ten employees to two.

**MOTION** by Rutzen to accept the application by Terry Collins, special land use, #2009-004, with the provision that she address the issues as stated in the review by Community Planning and Management and also use cones to keep automobile traffic away from the area where the children cross the drive to the play yard. Support by Gingell. A roll call vote was taken. Rutzen, yes; Gingell, yes; Ewing, yes; Cady, yes; Lendt, yes; Thick, yes. Ayes: All (6); Nays: None; Absent one (1). **MOTION CARRIED.**

MINING ORDINANCE:

Commissioners had no further comments or concerns on the draft soil removal ordinance as presented by Engineering consultant, Cory Mabery. Engineer Mabery stated that the the insurance portion of the ordinance was left generic. It just requires that applicants have insurance. He also noted that he recommends review by the Township Attorney prior to board approval.

Trustee Rutzen noted that insurance concerns have been relayed to the Township attorney and the ordinance is sufficient as is.

***MOTION*** by Rutzen, support by Thick to recommend the Soil Removal Ordinance to the board for approval. A roll call vote was taken. Rutzen, yes; Thick, yes; Ewing, yes; Lendt, yes; Gingell, yes; Cady, yes. Ayes: All (6); Nays: None; Absent one (1). ***MOTION CARRIED.***

MASTER PLAN:

Planning Area #2, Imlay city Road Corridor

Planning Consultant Chris McLeod noted that references to section 3, proposed road shall be removed as this is no longer a concern. He also noted that access drives in the area need to be monitored.

Commissioner Gingell questioned the kind of businesses that are ideal for this area. Discussion on uses and uses with a special land use in this area.

Commissioner Thick questioned how far into the future should we be looking in going over the master plan?

Commissioner Lendt stated that she would like to see the Lapeer Township commercial/industrial corridor maintain more of a rural character. Planner McLeod noted that Planning Area #5, design guidelines; talk about rural atmosphere, screening and landscaping.

PARK & RECREATION  
COMMITTEE:

Commissioner Rutzen, Lendt and Gingell have staked out the trails and supplied a diagram of the walking paths. Commissioner Rutzen gained funds from the board to mow the trails and staked septic area and also to have a wetland opinion done. The wetland opinion was conducted on Friday and copies of the opinion stating that it is not a true wetland area will be forwarded to commissioners. Wood chips are being brought in to use in formation of the trail system. The board has also agreed to enter into negotiations to purchase the property next to the hall.

Discussion on grants available for utilization by the Township was as follows. Possibilities are the DNR Trust fund, for land acquisition; Lapeer County Community Foundation for building a pavilion; and possibly the Lapeer Optimist Club for playground structures. The trail system may not qualify for a grant at this point.

Commissioners Lendt and Cady will work on grant needs for the playground.

CORRESPONDENCE: No correspondence was received.

REPORTS: Commissioner Rutzen reported from the board. Leonard Lumley reported on the zoning board of appeals.

ADJOURNMENT: There being no further business before the Commission,

***MOTION*** by Thick support by Lendt to adjourn meeting at 9:00 p.m. By unanimous consent the meeting was adjourned.

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Ruth Lendt  
Secretary

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Dawn Walker  
Recording Secretary

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