

**LAPEER TOWNSHIP PLANNING COMMISSON**  
Lapeer Township Hall and Community Building  
May 18, 2009  
Regular Meeting  
7:30 pm

**PRESENT:** Commissioners Fred Green, John Rutzen, Deborah Cady and Philip Thick.

**ABSENT:** Excused Chairman Tim Roodvoets, Vice-Chairman Kenneth Ewing, and Secretary Ruth Lendt.

**OTHERS  
PRESENT:**

Chris McLeod, Lapeer Township Planning Consultant of Community Planning & Management, P.C.  
Cory Mabery, Lapeer Township Engineering Consultant of Davis Land Surveying & Engineering  
Leonard Lumley, resident  
Chris Mullins  
Larry Mullins  
Dawn Walker, Lapeer Township Clerk and recording secretary

It was unanimously agreed by Commissioners present to have Commissioner Green run the meeting in absence of other officers.

Roll call followed, a quorum was present.

**PUBLIC TIME:** No one was present who wished to address the Planning Commission during public time.

**OTHER BUSINESS:**

**FIRE CODE ORDINANCE  
32.3:**

Supervisor Jarvis submitted for review by the Planning Commission a draft of the Lapeer Township Fire Code Ordinance 32.3. Discussion followed on key boxes and alarms. Questions were raised on section 4; Outdoor Containers: clarification on non-combustible and approved combustible materials. Commissioners tabled until the June meeting.

**SOIL REMOVAL ORDINANCE:**

Discussion opened by Engineer Cory Mabery regarding the soil removal ordinance. He stated that a sub-committee was formed as the first step in developing the ordinance. Next is this review with planning commission and then on to the public hearing. Lack of guidance in our current zoning ordinance on soil removal could lead to future issues.

Larry Mullins asked Commissioners how many existing mining operations exist in the Township. He stated that for Newark Aggregate to have to become compliant with the proposed ordinance it would shut them down. He expressed that he would have liked to have been included in the sub-committee to develop the ordinance and would like to see provisions built in the ordinance for existing operations.

Commissioner Thick questioned Planner McLeod in regards to the possibility of an expansion at the current facility and how would it affect them; would they then have to become compliant with the proposed new ordinance?

Engineer Mabery emphasized that this ordinance pertains to removing soil from a parcel of property for "export". The taking of material off site for "sale or profit".

Commissioners requested clarification in regards to the proposed ordinance in relation to the scope of what a project entails; developing a whole parcel versus a partial piece of property. They also questioned what a yearly inspection would consist of. Permit fees were also discussed.

Commissioner Green noted that Commissioners should give remaining comments to Engineer Mabery.

***MOVED*** by Commissioner Thick support by Commissioner Cady to table until the next meeting. ***MOTION CARRIED*** by unanimous consent.

WIND ENERGY:

Draft number 5 (dated February 12, 2009), Wind Energy Conversion Systems (Windmills) was reviewed.

***MOVED*** by Commissioner Rutzen, support by Commissioner Thick to schedule the Wind Energy Ordinance Public Hearing for the June 15, 2009 Planning Commission meeting. A vote was taken, Ayes: All (4). ***MOTION CARRIED.***

FOCUS GROUP:

The data from the May 13, 2009 Focus Group was reviewed by Commissioners. Planner McLeod asked that all members in attendance review the content for any clarifications or corrections that need to be made.

In reviewing results commissioners noted some conflicts such as allowing two acre lots, but remaining rural. Planner McLeod noted that he considers farm land preservation and rural preservation as two different things.

Commissioners noted that areas could be chosen to master plan with smaller lot sizes. The focus group results can be used as an additional tool for master planning.

Commissioners agreed to use the study session to work on the soil removal ordinance and the fire code ordinance.

REPORTS:

Commissioner Rutzen gave the Board report.

ADJOURNMENT:

There being no further business before the commission,

***MOTION*** by Thick support by Cady to adjourn the meeting at 9:40 p.m.  
*By unanimous consent the meeting was adjourned.*

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Ruth Lendt  
Secretary

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Dawn M. Walker  
Recording Secretary