

**CITY OF LAPEER  
MINUTES OF A REGULAR  
PLANNING COMMISSION MEETING  
MARCH 11, 2021**

A regular meeting of the City of Lapeer Planning Commission was held electronically via Zoom at 6:30 p.m. on March 11, 2021 at Lapeer City Hall, 576 Liberty Park, Lapeer, Michigan.

**Members Present:** Chairperson Jennell RaCosta, Vice Chairman Austin Kelly, Commissioners Catherine Bostick-Tullius, Marty Johnson, Debbie Marquardt, Jeff Pattison, Doug Roberts and Anne Shenck.

**Members Absent:** Commissioner Dale Kerbyson.

**Also Present:** Caitlyn Habben, Rowe Professional Services Company Planning Consultant, and Kimberly Hodge, Recording Secretary

Chairperson RaCosta called the meeting to order at 6:30 p.m.

**010      2021 03-11      MINUTES**

Motion by Bostick-Tullius. Seconded by Kelly.

Approve the minutes of the regular meeting held on February 11, 2021 as presented.

ON A ROLL CALL VOTE:

Ayes: Commissioners Marquardt, Kelly, Bostick-Tullius, Johnson, Roberts, Pattison, Shenck and RaCosta.

Nays: None.

Absent: Commissioner Kerbyson.

**MOTION CARRIED.**

**PUBLIC COMMENTS**

There were no public comments at this time.

**PUBLIC HEARINGS SCHEDULED**

There were no public hearings scheduled.

**SITE PLAN REVIEWS**

**Devonshire Place Condominiums – Site Plan Amendment**

Ms. Habben reviewed the request from Aqua Real Estate, LLC for an amendment to the Devonshire Place Condominiums site plan for the Phase 1 portion of the project to construct conventional detached condominiums rather than duplexes on Devonshire Drive. Ms. Habben stated the majority of the condos have been built, provided an aerial photo of the development and reviewed the exterior façade elevation designs which will match the existing structures. Ms. Habben reviewed the outstanding items for approval of the site plan including providing the amended By-Laws and Master Deed and clarification on installation of sidewalks.

Mr. Jim Sharpe of Sharpe Engineering was present and stated the developer is proposing to construct sidewalk in front of units 1 through 9 in Phase 1 of the project on the west side of Devonshire Drive to match and tie into the sidewalk in front of the existing structures on the west side of Devonshire located adjacent to the curb. Mr. Sharpe stated the infrastructure is already in place and that single condo units are more in demand than duplexes.

Discussion was held on existing sidewalk, constructing sidewalk throughout the entire development and the extent of the property lines toward Genesee Street for the Devonshire Place development.

**011      2021 03-11      DEVONSHIRE PLACE CONDOS – SITE PLAN AMENDMENT**

Motion by Bostick-Tullius. Seconded by Marquardt.

Approve the amendment to the Devonshire Place Condominium site plan located along Devonshire Drive contingent upon:

- Addressing all outstanding staff comments in the March 4, 2021 review letter; and
- Construction of sidewalk throughout the entire development on both side of the street.

ON A ROLL CALL VOTE:

Ayes: Commissioners Marquardt, Kelly, Bostick-Tullius, Johnson, Pattison, Roberts, Shenck and RaCosta.

Nays: None.

Absent: Commissioner Kerbyson.

**MOTION CARRIED.**

**OTHER BUSINESS**

**Text Amendment – Pet Crematoriums**

Ms. Habben reviewed the request from Stephen Finkbeiner for a Zoning Ordinance text amendment to specifically identify pet crematoriums as a use in order to permit a crematorium to locate at 26 W. Park Street which is currently a vacant car wash facility. Ms. Habben reported a pet crematorium on Howard Street was approved as a Special Land Use as similar to the incineration of garbage or refuse allowed in the I-1 Industrial zoning district which is no longer a legal method to allow the use.

Ms. Habben reviewed the options of modifying the existing zoning ordinance language to include an animal/pet crematorium or creating a new use that stands alone. After discussion, it was the consensus of the commission to create a new use category for the use. Ms. Habben reviewed existing language, proposed language for the new use including definition, allowing the use as a special land use in the B-2 and I-1 districts and parking requirements.

Mr. Nathan Blackstock, of Sorenta Florida and crematorium equipment supplier, provided a review of the crematorium operation and equipment emission testing requirements stating with current technology there are no visible emissions or odor from the low profile smoke stack and that many crematoriums operate near neighborhoods and restaurants.

Discussion was held on other pet crematoriums operating in the area that commissioners may be able to visit.

Mr. Finkbeiner, 202 W. Washington, Romeo, the property owner of 26 W. Park Street stated the site will be used for cremations only with no funerals or storefront.

After discussion on the proposed amendment language, it was the consensus of the commission to define the use as an Animal Crematorium, to allow the use as a Special Land Use in the B-2 and I-1 districts and to require one parking space per employee plus 3 parking spaces. Discussion was also held on the State's emission regulations, that a special land use approval would be required for the crematorium to operate at 26 W. Park Street and the natural gas or propane fuel source for the crematorium.

The commission also discussed the adjacent residential district, establishing distance requirements from certain other uses, the noise level of the operation, equipment capacity limitations and the need to research the State of Michigan's emission requirements for animal crematoriums. Ms. Habben reviewed additional proposed language for animal crematorium requirements concerning presentations to the commission for new facilities, maintenance, certifications, compliance, requiring the facility to only be used for domesticated pets, waste, family viewing and storage.

### **012 2021 03-11 TEXT AMENDMENT - PET CREMATORIALS**

Motion by Marquardt. Seconded by Roberts.

To postpone the public hearing for the text amendment regarding pet/animal crematoriums for further information on the State of Michigan's emission requirements.

ON A ROLL CALL VOTE:

Ayes: Commissioners Shenck, Roberts, Pattison, Johnson, Bostick-Tullius, Marquardt, Kelly and RaCosta.

Nays: None.

Absent: Commissioner Kerbyson.

**MOTION CARRIED.**

### **2021 Development Survey**

Ms. Habben reviewed the summary results of the 2021 Development Survey including who received the survey, who responded, results on problem satisfaction, website, handouts, application and permitting process, timeliness, Building Department inspection satisfaction, Planning Department pre-development meetings, general comments, things to continue and things to work on.

### **TRAINING REPORT**

Discussion was held on the Winter Cities training session and it was the consensus to hold the training at the May meeting.

### **COMMISSIONER COMMENTS**

Commissioner Marquardt requested to pick up her paper copy of the agenda packet in person at City Hall.

Commissioner Johnson commented that he would be willing to visit other pet crematoriums in the area.

Discussion was held on whether the April meeting will be held in person or virtually.

**ADJOURNMENT**

Motion by Shenck. Seconded by Kelly.

Adjourn the meeting at 8:01 p.m.

**MOTION CARRIED.**

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Commissioner Jeff Pattison  
Secretary

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Kimberly Hodge  
Recording Secretary